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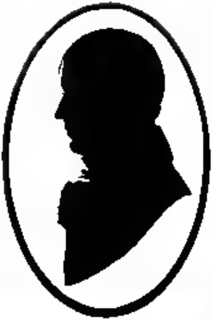

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NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No. 41

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RECORDS OF NIAGARA

No. 41

After an interval of four years in which he had acted as chaplain in the garrison at Kingston the Reverend John Stuart found an opportunity to visit the Mohawks on the Grand River and the settlement at Niagara, giving a brief account of his journey in the following letters.

FROM THE REVEREND JOHN STUART TO THE SOCIETY FOR THE PROPAGATION OF THE GOSPEL IN FOREIGN PARTS

"Letter dated Kingston Cataraqui July 2nd 1788, in which he acquaints the society that he has just returned from his long intended visit to the Mohawks on the Grand River above Niagara. That he embarked with Captain Brant & 4 other Mohawks on the 27th of last May & reached the head of Lake Ontario in nine days (distant from Kingston about 200 miles) from whence they proceeded on horseback about 25 miles to the village called New Oswego where he was well received.

That on the Sunday following he preached & administered the Sacrament to 16 (four of them New Communicants) baptized 65 persons 7 of whom were Adults & married three couple. That the Mohawk village is pleasantly situated on a small but deep River—the Church about 60 ft. in length & 45 in breadth,—built with squared logs & boarded on the outside & painted—with a handsome steeple & bell a pulpit, reading-desk, & Communion Table, with Convenient pews. That the Church furniture lately given by Government not having arrived (though at the date of Mr Stuart's letter at Niagara) he took with him the plate & furniture which formerly belonged to their Church at Fort-Hunter—a small organ was employed in the Service. That he was accompanied on his return as far as Niagara (about 80 miles) by Captain Brant & 15 other Mohawks who earnestly requested that he would visit them as often as possible which he promised to do. That finding he should necessarily be detained at Niagara some days for a passage & that no regular Clergyman had been in that extensive settlement since he had been there in 1784 he gave notice of his intention to preach on the Sunday Morning following, when he preached to a crowded audience & baptized 37 Infants, which with those baptized in private houses during his stay there amounted to 72 of which 7 only were adults and he thinks a still greater Number remain unbaptized from the impossibility of collecting the children at such a distance on so short notice. That on the day before his departure from Niagara, the Commanding officer in conjunction with the principal inhabitants of the adjoining settlement, represented to him their want of a Clergyman & as they wished to have some previous personal knowledge of one to be appointed & many of the inhabitants had formerly been Mr. Stuart's Parishioners at Fort-Hunter, they promised that if the Society would allow him to accept their invitation, they would make him a liberal subscription & give proper security for the due payment of it. That Mr. Stuart gave them no encouragement to expect him at least till the Society's pleasure should be known, but advised them to invite Mr. Frame formerly the Society's Missionary at New Jersey."

(Journals of the Venerable Society for the Propagation of the Gospel in Foreign Parts, Vol. 25 1787-1792, pp. 120-1.)

At a later date Mr. Stuart wrote to Bishop White of Pennsylvania:

Kingston (Cataraqui), Mecklenburgh District

September 4th, 1788.

The increase of Population here is immense. And indeed I was so pleased with that Country where I found many of my old Parishioners, that I was strongly tempted to remove my family to it. You may suppose it cost me a Struggle to refuse the unanimous & pressing Invitations of a large Settlement with the additional Argument of a Subscription & other Emoluments amounting to near £300 York Curr'y p. Ann. more than I have here.

(These extracts have been made by the kind permission of Professor A. H. Young from transcripts in his possession.)

The receipt of Mr. Grenville's letter on the subject of alleged misconduct in the Indian department both at Niagara and Mackinac stimulated Lord Dorchester to order further investigation in the following letter.

From Lord Dorchester to Sir John Johnson

Quebec, 21st January 1790

Sir—

The discontents among the Indians, which I hear of from different quarters, must appear very extraordinary to you, and indeed to all who are acquainted with the very benevolent intentions of the King's government towards them.

As this disposition originates with His Majesty, so it runs throughout His confidential servants. Both duty and inclination support it without diminution in the main channels of this delegated branch of His authority. But before it reaches the Indians it seems wonderfully changed. Mankind in general do not return discontents and murmurs for acts of kindness, whatever instances to the contrary may occur from the perverse disposition of a few wrongheaded individuals, and the Indians in particular, however different their manners and customs, are certainly not deficient in generosity of mind and gratitude towards their benefactors. If therefore, we reflect that this benevolent disposition on our part has brought forth benefactions to a considerable amount and occasioned an expense of about thirty thousand pounds yearly, including the maintenance of the department for these last three years, besides the sum of about twenty thousand given as a reward for former good conduct, and that in return for all this we receive nothing from the Indians, the conclusion must be that some uncommon efforts are employed to produce an effect so unnatural to the human mind. Yet this can scarcely be thought possible, seeing the numbers of persons employed in the department whose duty should prompt them to vigilance and the detection and exposure of all practices injurious both to the Indians and to the public.

How it came to pass that a few distant and friendly Indians could be denied the common rights of hospitality at one of the King's posts, who approves of so great an expence for the aid and comfort of the Indian Nations, and that in direct disobedience of the second article of the Instructions for the good government of the Indian Department, which requires that upon the "Arrival of parties of distant Indians at any of the Posts the Agent shall report the same to the Officer Commanding, who with the officers of the garrison, are to assist in receiving them, which is to be done with every mark of solemnity and friendship and as after the usual ceremonies, they will make known their wants, their requests, if reasonable, are to be complied with." I am at a loss to comprehend, as well as how notwithstanding this order the Agent for Indian Affairs at Niagara could tell the Six Nations in Council, that he being absent, the commandant at that post could not relieve them, and this in consequence of late orders. How came he to be absent from his duty, particularly at that juncture? by whose leave did he quit his district? How came it to pass, that Joseph and David who have hitherto been treated with distinguished regard and favour by the Commandants, and by all the English, on account of their Attachment, should now speak of their treatment at the post of Niagara full of resentment, and complaint of personal slight, and disregard? All these things appear to me very unaccountable.—The entire confidence, with which I rely on your experience and well tried zeal for the King's service, leaves me no doubt that you will use every exertion to investigate, and to inform me of the source of all these evils, as well as of the cause of the still subsisting dissentions among the Mohawks and that you will assist me with your best advice as to the proper means for removing them.

There has been no change in the orders respecting the Indians of any kind since the departure of Lieutenant Colonel Hunter, neither have any Instructions been issued concerning them since my arrival in the province, but what had their benefit in view nor can Lieutenant Colonel Butler point out orders at the present, or any former period not dictated by the same friendly spirit towards them. Though regulations have been made at different times to check the abuses, or supposed abuses in the inferior branches of the department, there has been no diminution of the King's bounty towards the Indians, but on the contrary these regulations have been framed for the express purpose of conveying to them the Royal benevolence as entire, and unimpaired as possible.

The loan of private goods from Niagara stated to have been made to the Indian Department at Detroit, among which it is said, were found Articles with the King's mark upon them, the repayment of this loan in articles of the same description, without the sanction of the Commander in Chief the reports of the King's presents to the Indians being publickly sold at a private shop at Niagara, both before and at a considerable time after that transaction, supposing no improper practices to have existed or to have been intended, bear such marks of irregularity upon the face of them and give room for such unfavourable suggestions as clearly shew the necessity of the nineteenth Article of the instructions which directs that 'no stores shall be lent or exchanged on any account whatever.' And the order for the removal of the King's stores in the charge of the nephew from under the same roof and an immediate communication with the private shop of the son, will for the same reasons, I hope no longer appear unreasonable nor can the necessity of the eleventh Article of the instructions which directs that "all presents and provisions given at public conferences or councils, are to be approved of by the Commanding Officer and delivered in the presence of all the

Officers of the Garrison, nor for the twelfth Article which requires that "no presents or provisions shall be given privately nor any incidental charges paid, but with the previous approbation of the Superintendent General, or, in his absence, of the officer commanding," be called in question, when the foregoing circumstances, and the representations from Mr. Dumalque, are considered, which state, that the King's presents have been employed in trading with the Indians to the injury of the Merchants, and otherwise appropriated contrary to the directions of government. Both duty to the Crown and tenderness to the reputation of the officers of the department, render these regulations indispensible that on the one hand there may be clear proof of the due and entire conveyance of the Royal bounty to the Indians, for whom alone it is intended, and on the other, as undeniable evidence of the upright conduct of the officers which supposing all these reports and complaints to be groundless, must undoubtedly be of the highest importance to them. It will be prudent for the gentlemen supposed to be concerned in the unseemly traffic aforementioned, at either place, to explain their conduct which I must suppose to be in their power.

If Lieutenant Colonel Butler still desires to retire from the King's Service, he should speak out, and I have only to regret my having taken any pains to divert him from that purpose and kept him in an office, the proper attention to which appeared irksome to him. At any rate it is necessary that a proper person, Accustomed to the management of the Indians and to our friendly treatment of them should be constantly at hand to assist the Commandant of the Post with his advice, and who must not quit his station without leave, for it cannot be expected, that every officer on taking the command, should come possessed of the necessary knowledge immediately to discern, and adopt those measures which may be proper for his situation and Trust.

I wish the Commandant at Niagara when the Agent absented himself from his station, had immediately substituted a proper person to do the duties of the office and made a report of his proceedings. Directions to this effect are now given, with regard to all Officers of the Indian Department to prevent the like injury to the King's service in future.

If the appointment of Lieutenant Colonel Butler to the direction of Indian Affairs in his district, being at the head of its Militia, the senior member of the land Board next to the Commandant and at the head of the Courts of Justice besides the appointment of his Nephew in the Indian Department are not sufficient to remove the discontents he formerly testified, I have only to regret as I said before, my having delayed his retiring from the service. At the same time I flatter myself that, while he accepts the trust he shall discharge the duties of it with fidelity and honor and takes care that his own dissatisfaction in no way tinge the transactions of his office.

I am induced to hope too that the bare report of his having obtained grants of extensive tracts of land in consequence of the treaties of concession made between the Indians of his district and some of our neighbours would alone be sufficient to pique his honor to avoid the least appearance of lukewarmness or neglect in the King's service.

I have formerly testified my approbation of the conduct of Joseph as well as of his friend David and am now disposed to grant a further proof thereof by an increase of David's allowance from thirty to forty five pounds a year

I am &c

DORCHESTER.

Sir John Johnson, Bart

(Q 46-2 pp. 395 403)

Sir John Johnson's rather laboured reply was dated only a week later

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

Montreal 28th January 1790

My Lord

My wish to comply with your Lordship's commands by forwarding without loss of time by the Mondays Post for the upper districts such Extracts of your letter to me of the 21st instant as I conceived were necessary for the Information of the Parties interested and for the investigation of the evils complained of prevented me sooner from acknowledging the honor of that letter.

I have often with much concern and astonishment heard that discontents subsisted among the Indians notwithstanding the well known bounty and benevolent intentions of Government towards them.

I have never failed when a proper opportunity offered of Impressing them with the highest sense of gratitude for His Majesty's, the Nations, and your Lordship's generous and Paternal attention to their ease comfort and happiness, and I have only to regret that I have not been more particular than I have been, in committing to Writing a few of the many grateful acknowledgements they have made to me in return for the bounty of Government to them, for the Attention of its Officers and for the heavy expence they have occasiond

That Emissaries have been and are employed to estrange their Attachment and affection from His Majesty's Government and Interest, is not to be doubted but which it is the duty and I cannot doubt but it is in the Power of His servants to Counteract.

The treatment of the Southern Deputies at the Post of Niagara is as much to be lamented as it is surprising to conceive how, with the stores full of everything necessary for them, and proper persons to distribute it—the commanding Officer could refuse the request of the Six Nations in their behalf no Orders whatever existing to the contrary—The Absence of the Agent at that time I believe was owing to his having obtained Permission from your Lordship to come down the year before but which from indisposition or some other cause he did not then avail himself of but thought himself equally at liberty with the Approbation of the Commandant of the Post, which I believe he obtained, to come down the next year, not knowing of the approach of those Indians or any particular business to be transacted until his return—delicacy on my part and an Idea that he had your Lordship's permission prevented me from making any inquiry and Imagining that he would naturally report his Arrival here to your Lordship prevented me from executing that part of my duty

The cause of Captain Brant and David's dissatisfaction was owing as I am pretty well informed to a Vigilence in the Garrison, I imagine in consequence of the Alarm from Detroit, by which the latter was disarmed and the former attempted to be [illegible] by a Centinel at one of the Gates conscious of their zealous and faithful Attachment to His Majesty's Interest and proud of the proofs and acknowledgements of their Bravery and spirited conduct during the War it is not surprising that their resentment was raised at so strong a proof of a Want of that confidence in them they conceived they well merited—that this or some such treatment from the Officer Commanding is the only cause of their discontent, will appear from Captain Brant's letter to Lieutenant Colonel Butler which I had the honor to transmit to your Lordship some time in Autumn as well as from the inclosed from Captain David which I received yesterday by return of the Indian Express I sent to Detroit with your Lordship's dispatches delivered to me by Captain Le Maistre.

The confidence your Lordship is pleased to honor me with shall never be abused nor shall any exertions on my part be wanting to obtain information of the Evils complained of

The dissentions among the Mohawks originated I am fearful in the Ambitious views of Captain Brant, who having the principle lead among the upper Mohawks or Canajoharie Indians and having been instrumental in procuring them the lands they possess, as well as other benefits, wishes to be considered as the Chief, and to have the rule and direction of the whole settlement, which the Chiefs of the lower Mohawks oppose, with a view to keep up their former consequence, having always been considered as the heads of the Six Nation Confederacy—I have taken some pains to bring about a reconciliation, but am fearful nothing but a separation of the Upper and Lower Mohawks, into distinct Villages, as formerly under their respective Chiefs, will effect it, —however as Captain Brant is soon to be down I shall have an opportunity of being better informed of the steps most likely to bring about that event.

I know of no part of the orders nor of any change that has been made in them, that could justify Lieutenant Colonel Butler's assertion to the Indians, and I believe they are well satisfied that all the Regulations that have been made from time to time have been calculated with a view to their benefit alone.

As I never heard of it before, I am at a loss to know when, or by whom the loan and repayment of Goods with the King's mark upon them were made—the sale of the King's presents at a private shop at Niagara is very extraordinary and unaccountable to me, unless disposed of there by the Indians which could only be the case at the time they received goods in bulk in lieu of their losses and services during the War—such conduct certainly points out the necessity of every restraint or Order that can be framed, and shews clearly that no part of the Instructions relative thereto can with propriety be called in Question.

It is to be wished and I hope the [illegible] supposed to have made an Improper use of the Goods committed to their care, for the use of the Indians may have it in their power to explain their conduct to your Lordship's satisfaction

I have never heard Lieutenant Colonel Butler talk of quitting the service seriously but I have lately been told that he holds such language now and means to go to the part of the country he was born in near New London—should it be the case I hope some person may be found to supply his place without much injury to His Majesty's service.

I am happy to find your Lordship has been pleased to augment David's Pension and beg leave to recommend Captain John for the same Indulgence as a Person of superior consideration

By Return of the Express I received the inclosed letter from Mr McKee, and I am happy to find by it that the Indians are so well disposed as he represents them to be.

I have put into the Office a letter addressed to Captain Le Maistre from Major Murray brought by the Express

I have the honor to be &c.

JOHN JOHNSON

His Excelly Right Honble Lord Dorchester

(Q 46-2, pp 404-410)

The activity of surveying parties sent out by the government of Pennsylvania had probably excited considerable alarm among the western Indians and seems to have provoked suspicion on the part of officers in command of the frontier posts who were in constant dread of an attempt to take them by surprise.

THE QUEBEC GAZETTE

Thursday February 18, 1790

New York, January 23.—On the 13th instant arrived in Philadelphia on his way from Fort Erie, Mr Andrew Ellicott after having fixed the Geographical situation of some important places on the Lakes, and completing all that part of the Survey lying between the west end of Lake Ontario and Lake Erie, in the territory of his Britannic Majesty made to determine the Western Limits of this State.

In the progress of this business Mr Ellicott had many difficulties to encounter arising from the extreme jealousy of the British Garrisons, and the continued marshes, and swamps, through which he had to pass and which cover almost the whole face of their country

Sir John's letter to Colonel Butler which had enclosed an extract of the most vital part of Lord Dorchester's instructions to him, elicited an explanation of transactions which had excited suspicion and complaints

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara 2nd March 1790.

Sir

I received your letter of the 25th January last covering an Extract of Lord Dorchester's letter to you of the 21st January and shall endeavour as far as in my power to explain such matters as respects the Department under my charge.

I have not been made acquainted with any Particular uneasiness amongst the Five Nations except the Mohawks, unless what some of the most distant Nations observed that what they received was scarce worth fetching so far as they had to come and that they believed the King their Father was Getting poorer every year

The Messassagues complain of being Disappointed in their payment for the Lands they sold Government when his Lordship and you passed Toronto, I then promised them payment for what I then agreed with them for and informed you of which was to extend Northward to Join the Bay of Quinty & West to Lake La Clay and the Rice Lake which I presume the Surveyor who was then present has transmitted a Plan of to Head Quarters. On my arrival from Montreal last fall a Number of Chiefs and Warriors of that Nation called on me to know if I had Brought the payment and was much Displeased I had not, I informed them that Mr. Langan had gone up the Bay with Presents for that purpose which they seemed very Doubtfull of, and said they had received no information of it nor any message to Attend—after giving them some Ammunition and a few Guns with the Approbation of the Commanding Officer they set off for their Hunts, since which I have heard nothing further from them.

The Disputes amongst the Mohawks appears to me to have Originated principally from Drunken Frolicks heightened by little private Disputes between those of the Upper and Lower Villages. these Disputes were Buried & Covered by the Council of the Five Nations last spring according to their customs and Promises were made on both sides faithfully to abide by that Decision but before they reached home some of them began again to stir up Dissentions, and I must do Capt. Brant and David the Justice to say that I have never discovered any Deviation in their Conduct from what was then recommended.

The arrival of the Western Indians in my absence was Singularly Unfortunate a Circumstance very Unexpected and which could not have been foreseen and the only Instance of Distant Indians visiting this Post since the Peace and I conceive by the Tenor of the third Article that the Commanding Officer is not Authorised to Distribute the Presents in the Absence of the Agent altho' the Interpreter and Acting storekeeper could have answered every Purpose, had Colo. Harris thought it proper to have done it, and Notwithstanding my private Affairs very essentially required my Presence in Montreal I would not have absented myself from the Post altho' there was no appearance of my presence being Necessary without Your Permission obtained by your letter of the 8th of October 1788, together with the concurrence of the Commanding Officer. As to any personal Slight or

Disregard being shewn to Capt. Brant or David by Colo. Harris or any Gentleman of the Garrison has never come to my knowledge but the contrary as far as I have been a Witness—I have always found him as ready to give any necessary Assistance to the Indians as any of his Predecessors at this Post whatever offence was given them in my Absence I have only by hearsay, but Colo. Harris will explain that Matter to His Lordship more fully than I can do. The Presents as observed from under charge of the Nephew into my son's store was because no other Place could be had, and his store being roomy and immediately at the Landing Place, the Presents have generally been stored there when they were to be given out immediately, and there is no communication between that and the shop of my son—and not having Room for a fifth part of them in the Indian Store was the reason of their being put there they were this year opened and Distributed from there in the same manner as the Compensations were in the year 1787, when you was present, and opened and Distributed in the presence of the Commanding Officer of the Garrison in the Manner directed by the Instructions, and Certified by them except a reserve which was made by the concurrence of the Commanding Officer for Distressed families Principle Chiefs and Widows, as well as those that have orders from You for Annual Cloathing which I took immediately from thence and have distributed accordingly.

I have made every inquiry with respect to the Loan of Goods to and the repayment of the same from the Indian Department at Detroit and the sale of others from my son's store with the King's mark on them in Answer to which I enclose you a letter from Street & Butler which I trust will fully explain to you the reason of goods of that Description being sold in their Store.

I am exceedingly Unhappy that His Lordship should entertain any Doubts of my integrity and Assiduity in giving all that satisfaction to the Indians that is expected from me & which my Duty to my King and the nature of my trust at all times require at my Hand sensible of that Trust and the Confidence placed in me I have ever been watchfull of the Interests of Government and the general good of the Confederate Indian Nations, and as far as my own knowledge of their customs and Manners with the means that have been put in my Power I have spared no Pains in cultivating their Friendship with Government and in Conciliating any Discontent which I have discovered to have been stirred up amongst them either by the neighbouring States or by discontented Individuals amongst themselves and I have always felt the inward satisfaction of accomplishing my Wishes till latterly. Whatever may have been said to the contrary Permit me, Sir to Repeat what I have before observed both to His Lordship and to Yourself That altho I am happy on my own personal Account that such Restrictions are laid on the Deputy

Agents as enables them to Discharge their Duty with a less degree of Censure on themselves than what they had more left to their own Discretional Judgement, at the same time I am convinced, and presume that you will acquiesce with me in Opinion that more is effected with those credulous people by one in whom they have a Confidence by the manner & mode of distributing the Presents to them than by the real value of what they receive. I am convinced of this by long experience and Confirmed in it by the effects produced by the present mode of delivering the presents—I wish not to be understood that I mean (by delivering my sentiments so freely) to complain of the Hardship of complying with the orders but merely to point out the inconveniences of attending rigidly to the tenth Article of the Orders and rendering that Service to Government and giving that satisfaction to the Indians as is intended by the benevolent Disposition of the King—I wish all my Conduct to be under proper inspection but Not in that Public Manner which conveys an Idea to the Indians that the King their Father is afraid to trust me as heretofore which must lessen the consequence of the Agent in their eye and of course destroy his Influence with them.

I have the Honor to be &c

John Butler.

Sir John Johnson Bart

(Q 46-2, pp. 411-18.)

Samuel Street, who had conducted a sutler's store and trading station with the Indians within the walls of Fort Niagara for about ten years, with considerable profit, had lately taken as a partner Lieut. Thomas Butler, eldest surviving son of Colonel Butler, and on being called upon to reply to the charges levelled against them, submitted the following statement:

From Street and Butler to John Butler

Niagara, 2nd March 1790.

Sir

Respecting Articles having been sold in our shop with the King's mark upon them, the following is as strict an account as we can give, tho' Conscious that we were doing nothing wrong have neither been very particular in Noting every Circumstance respecting such Articles as have been rec'd from the Store, nor by any means Cautious in Concealing the Marks under which we rec'd them.

Previous to the Orders from the Sup't Inten't General in '87 forbidding all kind of Barter from the Indian Store we frequently exchang'd for such Articles as answer'd us and have no reason to believe that the Goods given in return were better calculated to answer the Indians than those we rec'd, but it was never done with a view of Serving us, but as far as came to our Knowledge it was for the better satisfaction of the Indians

Its well known we imported a large quantity of goods in '85 and '86 to no less amo't than £15000 Sterl'g, at a period when the Indian trade not only declin'd more rapidly than could have been expected even by a more discerning eye than ours, but when the Indians were tamper'd with by the Americans all round our Trading Posts, and the greatest part of their hunts carried off by them, which consequently left large quantities of our goods on hand, and naturally induc'd us to take every fair measure to prevent their Spoiling on our hands, by loan when we could not affect it by Sale—in '86 at the request of the Superintendant General we Lent Government for the Department at Detroit upwards of £1200 Sterling cost, which were returned to us in fall '87 from the General Store in Montreal. In Spring '87 when Mr Dease was going to Mackinac boats were not to be had to convey the presents design'd for that Post, from Fort Schlosser to Fort Erie and with the Approbation of the Commanding Officer I lent him a Boat Load of Indian Goods which were at Detroit and rec'd to the same amo't from him of the King's goods then all those goods were expos'd to view and sale in our shop, and some of them were in the shop till last fall

We are, Sir &c.

STREET & BUTLER

Lt. Col. Butler

(Q 46-2 pp. 419-21)

Colonel Butler further demonstrated his annoyance and sense of injury by writing directly to Lord Dorchester

FROM JOHN BUTLER TO LORD DORCHESTER

Niagara, 3rd March 1790.

My Lord,

Permit me Sir to trouble Your Lordship at this time when I feel myself more essentially hurt than I have ever experienced during a series of upwards of Forty Years of indefatigable application in the service of my King & Country, most of which time I have been employed in Indian Affairs in which I have been vigilant in cultivating their Friendship with Government as far as my abilities enabled me and am not insensible to the thanks and rewards I have had the Honor to receive from my superiors for my services, but it seems lately to have produced Suspicion Mistrust & Enemies where I have not expected nor designedly gave offence.

Since I have had the Management of the Department at this post, I have never absented myself Twenty four Hours without permission from the Commanding Officer, and when Business called me abroad I always left a capable person to assist the Commandant in Indian Business Mr Johnston the Interpreter who is well acquainted with Indians and their Customs was here on the Arrival of the Western Indians last Summer and was capable of performing any service that might be required. Although I did not conceive from the third Article of my Instructions that the Commanding Officer could distribute the Presents in my Absence still My Lord other Motives induced me to tell the Indians that Colo Harris could not clothe them in my absence. I saw the Indians (the Mohawks in particular) were much displeased with him, & I thought by that means to reconcile them to him and to appease them Myself by some other means

Conscious myself of Never having defrauded the Public nor denyed the Indians any assistance in my Power to give them and more particularly of not preventing Governments Benevolent Bounty from reaching them as entire and unimpaired as possible For which I appeal to all the Commanding Officers under whom I have served and if my conduct is Disapproved by them permit me to retire to some quiet repose & linger out the few Unhappy days that is left me.

I am exceeding Unhappy that your Lordship should entertain so different an Opinion of me from what I once thought I had the Honor to enjoy

I know it is Currently reported and Generally believed that I have accumulated to myself an Independent fortune, but which will be found in the sequel to be erroneous.—Supported by that zeal for the service of that Government which has reaped the fruits of a far Spent life induces me to continue in the place I have the Honor to fill at Present—but it is now too late for me to think of rendering myself usefull in any other line to the King & Government in whose service I have spent the Prime of my life & wish to end my days in.

With the Highest respect &c

John Butler

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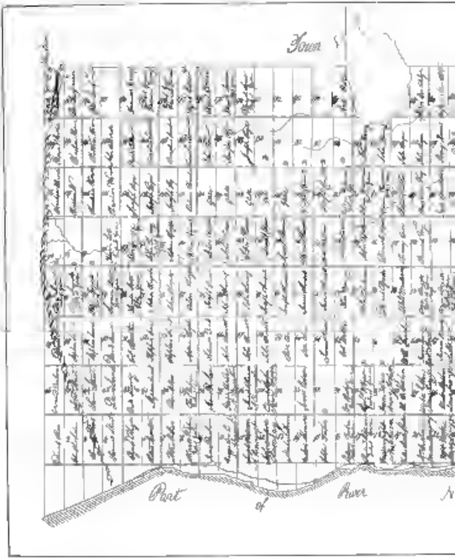
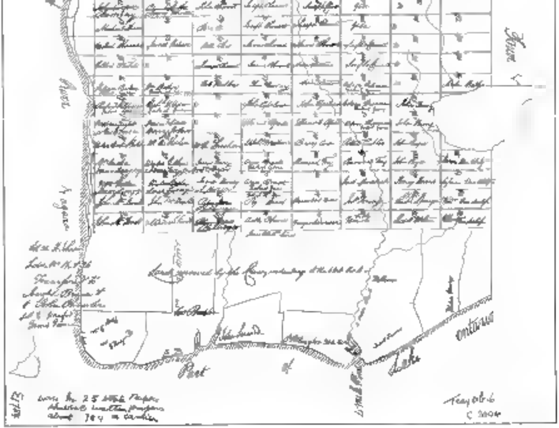

Town
Part of River


Town
River
Niagara
Land reserved by the Crown
Point
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Lord Dorchester

I hope your Lordship will excuse the Liberty I have taken in writing thus freely & should I have said anything improper that your Lordship will impute it to Ignorance & not to any design.

D.

(Q 46-2 pp. 422-5)

Dorchester reiterated his anxiety for the defenceless state of the province in a secret letter to Colonial Secretary

FROM LORD DORCHESTER TO W W GRENVILLE

Duplicate

No. 18 Secret Quebec 8th March 1790

Sir

The great approaches to Canada by the Mohawk river and Oswego, and by Lake Champlain to the river Sorel, are too well known to require Explanation but I must just observe, that suffering them to establish themselves on the latter up to the treaty line of the forty fifth degree of North latitude would be nearly equivalent to the making them Masters of the whole Country

The upper posts were all repaired last year and properly supplied with stores—Detroit is in a better condition than ever but from the beginning it was only a defence against Indians and now its chief strength must be derived from the fidelity joined with the Militia of the place and the abilities of the Commandant—Niagara should make a good defence, Especially if the Militia of the district behave well and keep open the communication across the river Michilimakinac can keep out only Indians and Fort Ontario, partly from the defects of the work partly from its position neither is, nor can be rendered, defensible, in the present condition of Things The works on the Sorel are all very bad—The resources, which the lower part of the province is capable of bringing forward cannot be depended upon a languid insensibility to all political importance with but a few Exceptions, runs through the whole It will be difficult to rouse them Even to their own defence, or make them perceive their danger till it is at their door and probably too late.

The Militia has been as much attended to as prudence would admit, but a favourable opportunity to embody two battalions of them, which might in a few years correct this torpid habit has not yet afforded; and on a well timed introduction the success of the measure will greatly depend. The defence of the province will therefore be reduced nearly to the Troops, and what small assistance the loyalists may be able to afford; this for local reasons must be confined to their own district, and indeed the same local considerations, in the present condition of our strength will have nearly the same effect upon the troops, so that every post will be left to its own defence, consequently must be expected to fall; the retaking any will be quite impracticable. It will require a reinforcement of at least four thousand men to enable this province to carry on a defensive war with any probability of success. In the year Eighty Eight, having conceived suspicion of such hostile designs, though not so far advanced, I apprised Brigadier General Ogilvie, that I might have occasion to draw two Battalions from Nova Scotia, and its dependencies, to Canada, by New Brunswick. I must observe that the present very defective distribution of the troops there renders such a measure difficult and tedious in Summer, and impossible in winter; dispersed as they are they cannot defend themselves nor succor any other part, on a sudden Emergency. I would therefore recommend, that leaving two battalions for the guard of Halifax, all the rest of the troops in Nova Scotia, its dependencies, and New Brunswick, be collected on the upper part of the river Saint John, where they may make huts for themselves, in a central situation, from whence they may give assistance with their united force, whatever it shall be. In their present dispersed situation they have nothing to guard, and may be cut off in detail. The proper defence for Nova Scotia, besides its militia, is a command of those seas; the Halifax Squadron should at all times be decidedly superior to what the French annually sent to Boston; on the present occasion an additional number of frigates Enough suddenly to extinguish the trade and fisheries of the States, should they commence hostilities, would soon convince them of their Error.

DORCHESTER.

The Right Honble W. W. Grenville.

Endorsed. Quebec, 8th March 1790.
Lord Dorchester
Dup No. 18 Secret.

(Q 44-1 p. 123 5.)

Alarming intelligence continued to arrive at Niagara from Butler's correspondents or agents in the Genesee valley. It may be noted that the person who wrote this letter had been an interpreter in the British Indian department and was soon after engaged in the same capacity in the service of the United States, vide Simcoe Papers II 195-6, 276 315 III 103.

FROM N. ROSECRANTZ TO COLONEL JOHN BUTLER

Extract of a letter from N. Rosecrantz an Inhabitant of the Genesee Country dated 16th March 1790 to Lieut. Col. Butler

I have been lately as far down as Cannandasaga where I was informed by Mr. Smith a Merchant, of that place who had just arrived from Cannandasaga, I asked him whether he brought us any news he answered that he read the late papers, wherein he found that the Americans were Raising a Numerous Army under a pretence of Destroying the Southern Nations of Indians and it is the opinion of the people that the troops are intended for to take Niagara and the back Posts at least it is strongly talk'd of

D

Endorsed— 3

In Lord Dorchester's letter
to Mr. Grenville No. 26
of the 27th May 1790.

(Q 44-1 p. 244.)

This information was to a certain extent corroborated by the following statement from a credible Indian source and both reports were forwarded to Lord Dorchester who considered them of sufficient importance to be transmitted to Mr. Grenville.

INDIAN INTELLIGENCE

Copy of Intelligence received from a principal Cayuga Chief called the Blue Coat—Buffaloe Creek 26th March 1790

Sent by Lt. Col. Harris

The above mentioned Chief lately returned from the Mohawk River says that he there met with a Mr. Wemp (with whom he had been well acquainted before the last War) who told him he wished much to have some Conversation with him, and told him he had long wished for such an opportunity as now offered of Speaking his Mind to one who he thought from their former friendship he could depend upon he informed him it was the wishes of the Americans to have Oswego thrown open which he said ought to have been done long ago according to the Treaty at

Peace in 1783 that it being kept Occasioned them many Difficulties especially in settling the Country lately purchased from them by subjecting them to a long land Carriage which occasioned great trouble and Expence in settling that Country and prevented many of the most principal people, from going there which would not be the case was Oswego thrown open, that it Greatly injured their trade and they were thereby prevented from Selling their Goods cheaper to the Indians than they could buy them at any other Place and that the People were therefore determined to take some Method to lay open Oswego and that they were now raising Troops in the States, but whether they were intended against Oswego or not he Could not tell and added that he had informed him in all that he knew respecting the Americans and would be glad to know if it would be agreeable to the Indians in General to have Oswego thrown open, as it would be of such great Benefit to them also, or if he thought they would oppose such a thing and requested to know if they were told by the King their Father to oppose the Americans or whether the King advised them (at the time they received their Annual Presents) to stand against the Americans should they attempt to take the Upper Posts—he Continued that what they intended to do was not from any authority of Congress, but from the Wishes of the People.

The Blue Coat made Answer that the King the Father, since the Peace had given them No advice to oppose the Americans nor were they ever told that their Presents were given them for that Purpose, but that the King their Father had advised them to be peaceable and Quiet, and to Mind their Own Business and that he did not imagine the King or any of his People had any thoughts that the Americans intended to do what was then told him.

D.

Endorsed 2

In Lord Dorchester's letter to Mr Grenville
No. 26 of the 27th of May 1790

(Q 44-1 pp 241-3.)

Having at length received the necessary instructions for their guidance, the district land board entered upon the active performance of its duties which in addition to the allotment of grants of land, included the selection of sites for towns and laying out new roads and the improvement of such primitive roads as had been already opened

PROCEEDINGS OF LAND BOARD

"Land Board Niagara, March 20th 1790.

"Present Lieutenant Colonel Harris, Lieutenant Colonel Butler R Hamilton.

Which day various Letters and other papers being laid before the Board they read the same, and for the purpose of executing their contents, they direct a Board to be held on the 29th inst at Mr Sheehan's house in the Rangers' Barracks and that the inhabitants of Township No. 1 be advertised then and there to attend for the purpose of filling up the lots of that Township, with the names of the proprietors.

"Till then the board adjourned."

"Land Board, Nassau 29th March 1790.

"Present Lieutenant Colonel Harris, Commanding Upper Posts Lieutenant Colonel John Butler Peter Ten Broeck, Robt. Hamilton Nathaniel Pettit Esquires

"The Board Proceeded to the election of a Clerk and appointed Mr Sheehan for that purpose Mr Jones, Acting Surveyor was called in and produced a plan of the first Township, which the Board proceeded to examine, and entered those claimants for land whose titles appeared clear and undisputed."

"Land Board, Nassau, 30th March 1790.

"Present Lieutenant Colonel Harris, Commanding Upper Posts, Robt Hamilton, Nathaniel Pettit, Peter Ten Broeck Lieutenant Colonel Butler Esquires.

"The Board this day continued examining the claims of the inhabitants to the lots in the first Township, and entered in a list for that purpose such of the claims are undisputed.

"Land Board, Nassau 31st March, 1790

"Present Lieutenant Colonel Butler Peter Ten Broeck, Robt. Hamilton, Nathaniel Pettit Esquires

"The Board having met issued the following advertisements

"The Land Board for the District of Nassau having received from Lord Dorchester instructions to open the Portage on the west of the River above Niagara And his Lordship wishing to do this on the most liberal and useful terms for the Settlement directs them to be consulted on this business, and that every proposal they individually or in companies may think proper to make for a contract shall be handed to him the Board have appointed their next meeting on the second Tuesday in April when the Court nts, at which time they will communicate every particular respecting this business to whoever may apply and Mr Sheehan, Clerk of the Board, will inform any others who may wish this information sooner if they will apply to him at his house.

(Signed) J Butler Peter Ten Broeck, Nathaniel Pettit R. Hamilton"

"The Board are also of opinion, from the regulations of the Governor and Council of the 25th August last that the center of this Township on the banks of Niagara River is the proper place for a Town and other Public Buildings, and that the lots No 15 16, 17 and 18 in the center of this township are at present in the possession of Gilbert Fields, Wm Baker Richard Wilkinson and Nathaniel Fields, which the Board will endeavour to obtain from those Proprietors for that purpose

The Board then proceeded to appoint Commissioners of the Roads, when the Following persons were named—

"John McNabb Andrew Butler Jacob Ten Broeck, Charles Pettit Robt. Lottridge Robt Nelles Gilbert Tice, John Warren, Elijah Phelps, Jacob Ball, Junior John Powell

"REGULATIONS FOR THE COMMISSIONERS No new roads are to be opened nor any alterations made in the old ones except by the concurrence of three of the Commissioners of Roads for that District and the Board think it requisite that the Commissioners do order that the inhabitants shall Work on the road six days in the year viz. three days in the Spring and three days in the Fall also at any other time when it shall become necessary e the by floods or other accidents and you are hereby directed in case of any persons refusing to work after having been warned to fine them five shillings for every day they shall neglect to work and the Path Masters are to be fined £5 should they neglect their duty The Commissioners will observe that all roads are to be one chain in breadth

Colonel Butler took advantage of a meeting with some of the principal chiefs of the Five Nations, residing on their lands in central New York, to inquire whether they were disposed to resist an attack upon the British post at Oswego, but at the same time renewed his former advice to endeavour to live at peace with their white neighbours and avoid being drawn into a conflict with the United States in the event of a war with the southern Indians.

SPEECH BY JOHN BUTLER TO THE INDIANS

Copy of Lieut. Colonel Butler's Speech to some of the Principal Chiefs of the Five Nations, and their Answer.

Niagara 8th April 1790.

Brothers,

I was informed by Mr Johnson the Interpreter at his Return from your village that the Cayuga Chief called the Blue Coat, told him he had lately returned from the Mohawk River, where he saw Hendrick Wemple an American Interpreter, who told him that the people of New York were very uneasy about the Post of Oswego being detained from them, that they found not only an inconveniency in conveying their Settlers into the new Settlements, but that they must bring goods by Land a Considerable distance, which put it out of their Power to furnish them so Cheap as they otherwise might; he said the people were very desirous to have that Post thrown open and wished to know if you would have any objection to their attempting it by force and whether you had any directions on receiving your Annual Clothing from the King your Father to oppose them.

You know Brothers that it has always been recommended to you to live peaceably and quietly and to give your Neighbours no Cause to blame your Conduct, this was my Advice to you, and is still. And it appears from the above information and from Reports of the Americans raising troops to go against the Southern Indians that they are not perfectly satisfied. I recommend it to you as a prudent step towards keeping clear of disputes with them to call home all your scattering people from amongst them, least some of them may be prevailed upon by the Americans to join in the quarrel against people of your own Colour which might involve your Nations in a War.

ANSWER FROM THE CHIEFS

Brother

Our Attachment to the King our Father is firmly Fixed and Agreeable to his Advice we shall endeavour to keep clear of Disputes with our Neighbours and as we are apprehensive that should a quarrel between the Americans and our Brothers to the Southward take place that our Situation might be disturbed sooner than we Conceive, at present they are encroaching fast upon our Country with their Settlements and as we wish to keep free from disputes we are desirous of knowing from the Commander in Chief the particular Boundaries of the Lands that are given us on the Grand River that we may make such divisions amongst [illegible] es so as to know where to retire when we see Cause to remove out the Mohawks have papers to shew for their Lands we wish also to have the same, with the outlines pointed out that there may be no Misunderstanding or disputes hereafter

D

Endorsed— 6

In Lord Dorchester's letter
to Mr Grenville No 26
of 27th May 1790.

(Q 44-1 pp. 248-250)

These proceedings were duly reported to Sir John Johnson and by him to the Governor who transmitted the information to the Colonial Office.

From John Butler to Sir John Johnson

Extract of a letter from Lieut. Colonel Butler to Sir John Johnson dated Niagara 10th April 1790

We have had a Report here that the Americans are raising an Army against the Southern Indians. I have desired them to call home their Scattering people as it is probable some of them might be prevailed upon to Join against the Indians which might be the occasion of involving these Nations in a War with those of their own Colour and may be prevented by a timely attention which I strongly recommend and hope will be attended to.

D

Endorsed— 7

In Lord Dorchester's letter
to Mr Grenville No. 26
of the 27th May 1790.

(Q 44-1 p. 251)

About this time Lord Dorchester had received private information that some of the officers of the Indian department, among them Colonel Butler, had obtained considerable grants of land in the United States, which gave him some anxiety and the Superintendent was instructed to make a full inquiry and report the result

From Henry Motz to Sir John Johnson

Quebec, 12th April 1790

Sir

Lord Dorchester having understood although he cannot give full credit to the report, that several persons in the King's service, and other the King's subjects in the province, are possessed of Lands, beyond the line marked by the late treaty of peace, in the upper part of this country under titles derived from the states, or the subjects of the United States—His Lordship requests you will endeavour to obtain full and special information on the subject, and bring him acquainted with all particulars of the names, characters and residence of the persons of this description, what quantities of lands they possess as aforementioned, where the lands are situated, and upon what terms or pretences, how and from whom they have been obtained, and in what manner they are held or pretended to be held, whether in their own names, or in any other way whatever with the dates of all such grants or titles.

I am &c

HENRY MOTZ

Sir John Johnson, Bart

The following letters show that the commandant at Fort Niagara had become seriously alarmed and considered it necessary to take unusual precautions to guard against surprise.

FROM LIEUT. COLONEL HARRIS TO CAPTAIN LE MAISTRE

Extract of a letter from Lieutenant Colonel Harris Commanding the Upper Posts, dated Niagara 15th April 1790 to Captain Le Maistre Military Secretary

The inclosed papers have been delivered to me by Lieut Colonel Butler. Rosecrants—you may probably remember he was with the Rangers and Captain Brant during the War but has since resided at the Genesee

That the States have ordered Troops to be raised is mentioned by different People lately arrived here—A Mr Skinner says, such a Report prevailed amongst the common People

Murphy (who is Blacksmith in the Indian Department at Michilimakinac) says Troops are ordered to be raised to the number of thirteen or fourteen Thousand to be employed against the Western Indians, for having taken or destroyed five of their Boats on the Ohio late last fall

There is a Report (but not generally believed) that the English have taken two French Ships, returning from Philadelphia laden with Corn

D

Endorsed— 1

In Lord Dorchester's letter
to Mr Grenville No. 26
of the 27th May 1790.

FROM LIEUT COLONEL HARRIS TO CAPTAIN LE MAISTRE

Copy of a letter from Lieut Colonel Harris, dated Niagara 15th April 1790, to Captain Le Maistre, Military Secretary

Since my letter to you of this morning I have received the enclosed from Col'l Butler how far the Intelligence is to be relied on I cannot pretend to say—but should anything material be attempted this way beg to be informed what lengths I may go with the Indians and what Engagements I may enter into, in order to interest them (if it should be thought proper) to take an Active Part in the side of Government.

I have this day wrote to Captain Partridge Commanding at Oswego to put him on his guard

D

Endorsed— 4

In Lord Dorchester's letter
to Mr Grenville No 26
of the 27th May 1790.

(Q 44-1 pp 245)

Some of the Six Nations, who remained in the United States then announced their intention of joining the Mohawks already settled on the Grand River and the chiefs of that nation requested in consequence that the limits of their reserve should be defined and that those intending to migrate should be supplied with provisions

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FROM DAVID AND AARON HILL TO SIR JOHN JOHNSON

Nassau 15th April 1790.

Sir

Having been informed by Colonel Butler of the receipt of a Letter from You, mentioning His Lordship's wish to know when we would choose to have our Deed for the Lands granted to us on the Grand River it being the wish of the Six Nations in general we have to request the Deed as soon as possible, being informed the Americans are Raising Troops and Ignorant of what their intentions may be, think the sooner our Boundaries are pointed out the greater will be our satisfaction and wish to know how much of the Land to the south of the Grand River we may expect will be reserved for our Hunting and further request His Lordship will order a Surveyor to survey the Tract granted us, that in future we may be certain as to our Boundaries.

There being a number of the Six Nations who mean to move over to the Grand River and the season being considerably advanced a number of them nearly destitute of Provision, request His Lordship will allow them provision in order to enable them to move and until such time as they may be able to support themselves, we are in Behalf of the Six Nations &c.

DAVID HILL
AARON HILL.

Sir John Johnson, Baronet

Butler encouraged the project of emigration to the Grand River and recommended that provisions should be supplied to the Indians who intended to remove.

FROM JOHN BUTLER TO COLONEL HARRIS

Copy of a letter from Lieut. Coll Butler to Lieut. Colonel Harris dated Niagara 15th April 1790.

I have been informed by Captain Aaron that he had sent a Messenger to Onida who had returned and relates that Congress had sent a Message to the Onidas informing them that they had now raised an Army to take their own Fort Niagara, and that Two Thousand of that Army were now on their way from New York and recommended to the Indians to collect their People in a Body and Advise them to lay Still and look on and not to interfere with white People, and that any who Disobeyed this Caution they would Punish as the Island of America was not so large but what they could find them out and farther related that in Consequence of Capt. Aaron's Message all the Indians in the King's Interest had left Onida and were removed to Genesee.

A great part of the Tuscarora and some of the Cayuga Nations are now preparing and will move over to settle at the Grand River this Spring and it is my opinion that if Government would allow a years provisions to those that move over that many of the other Nations would follow their Example and move there in the Course of the Summer but without that Assistance they Cannot as moving their Families would prevent them from planting and of course leave them Destitute of Provisions

D

Endorsed, 5

In Lord Dorchester's Letter
to Mr. Grenville No. 26
of the 27th May 1790

(Q 44-1 pp. 246-7)

At the next meeting of the Land Board petitions were received from two men who were destined to take a long and active part in public affairs, as rivals for popular favour. Swayze had been employed in secret service during the war and seems to have had a talent for making enemies. Street, who was a native of Connecticut had commenced trading with the Indians on the Susquehanna river in Pennsylvania whence he had removed to Fort Niagara in 1778. He had not taken any active part in the war, but had married the daughter of a loyalist. Both of them soon acquired considerable property in land and were commissioned as magistrates. Street and Butler had already built a saw mill on the Fifteen Mile Creek. In 1796, Samuel Street patented 4,000 acres of land in the township of Willoughby, mostly obtained by transfer from Philip Stedman and other original grantees. Swayze patented 1200 acres in Pelham in 1797 to which he added other lands in that and adjacent townships at a later date. He was elected a member of the Legislative Assembly for the third riding of Lincoln in 1792, but was succeeded and probably defeated by Street in 1796. Street had been a candidate for the second riding in 1792 but was defeated by Benjamin Pawling by 148 votes to 48. Street was again elected in 1800 and chosen as Speaker. He was defeated by Swayze in 1804 but regained his seat in 1808 and was again elected Speaker. Swayze was elected by the fourth riding on the death of John Fanning in 1812, and re-elected in 1816. Street died in 1815 but Swayze lived until 1828.

Proceedings of the Land Board

Land Board Nassau, 16th April 1790

Present Lieutenant Colonel John Butler Peter Ten Broeck, Nathaniel Pettit, Esquires.

Received a petition from Isaac Swayze setting forth that from his character having been traduced he had been prevented from enjoying the privileges of other loyal citizens and having produced sufficient proof that his character had been misrepresented the Board are of opinion that he is entitled to the quantity of land his services may entitle him to as a volunteer in the British Army at New York

"Received a Petition addressed to his Excellency Lord Dorchester from Samuel Street, Esquire.

A copy of Mr Street's petition has been preserved and is of considerable interest, relating his claim to the occupation of a part of the Crown reserve at what was then called the "lower landing," which became the subject of a suit at law two years later

"Writing to Mr. Secretary Dundas, on 4 November, 1792, Lieut Governor Simcoe said.

"The Queen's Rangers are hutted by great exertions at the Niagara Landing now *Queenston* Mr Street, an Inhabitant of the place, chose to dispute the Right of the Land. I directed the Attorney General to defend the suit, & Judgment was given in favor of the crown."[1]

The Memorial of Samuel Street

To His Excellency The Right honourable Guy Lord Dorchester Captain General and Governor in Chief of the Colonies of Quebec Nova Scotia, and New Brunswick and their Dependancies, Vice Admiral of the same General and Commander in Chief of all His Majesty's Forces in the Said Colonies and the Island of Newfoundland &c &c. &c

> The Memorial of Samuel Street of Niagara, Esqr—
> humbly sheweth—

That your Lordship's Memorialist having observed through the Medium of the Land Board here that from the remarks made by Lieut. Humphry of the Engineers, the face of the Hill and the front of the Lots at the Landing may be taken for the Use of Government the Present Possessor having no rights to them begs leave to represent that he has been a Residenter at Niagara upwards of twelve years and in Possession of the Lands pointed at by Lieut Humphry upwards of six years, that he made a Purchase of them at a Price little short of seven hundred Pounds, under the written Sanction of Lieut Colonel Depeyster the then Commanding Officer of this Post and has since expended near double that Sum in Buildings and other Improvements thereon—

Your Lordships Memorialist having at all times strictly complied with every Instruction and Regulation which has come to his knowledge relative to Settlers on Crown Lands and done all in his Power to promote the Prosperity of this new Settlement conceives himself entitled to the same Privileges as other Settlers and asks no more than to be permitted to keep the Lands he has taken Possession of conformable to the general Rules observed in this Settlement—

Your Lordships Memorialist will however most cheerfully submit to have such Reserves made in his Deeds as will not only enable Government to take away from the face of the Hill what Stones may be wanted, but to erect Store Houses, and Wharfs for the King's use on such Part of said Lands as shall be found most convenient when the Engineer views the Ground—

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[1] Simcoe Papers, I, p. 247

Your Lordships Memorialist therefore humbly begs that your Lordship will be pleased to take his Case into Consideration and Grant him such relief as your Lordship in your wisdom shall judge right—

And your Lordships Memorialist as in Duty bound will ever pray &c &c

Niagara, 15th April, 1790.

(Signed) SAML. STREET

Copyed from a Copy

D. W. SMITH

After the organization of the province of Upper Canada, Mr. Swayze renewed his applications for lands, at first in conjunction with associates unsuccessfully and afterwards alone with better fortune, as he had then become a member of the Legislative Assembly.

To His Excellency John Graves Simcoe, Esqr. Governor and Commander of the Province of Upper Canada &c &c &c.

In Council

The Petition of Isaac Swayze, John Secord Senr. John Secord Junr. and David Secord HUMBLY SHEWETH—

That your Petitioners desirous of promoting the population of this Province hath encouraged a number of their friends and Relations, now residing in the States of New Jersey and New York to become settlers in this Country and as your Petitioners conceive that from the great resort of People to this Province applying for Grants of land that the Townships most contiguous to the navigable waters may be located. In behalf of themselves and Friends solicits your Excellency for a Grant of one Township and your Petitioners will strictly adhere to any Rules and regulations that may be laid down by Government relative to the settlement and Cultivation thereof or grant such other relief in the Premises as your Excellency may seem meet, and your Petitioners will ever pray.

New Ark 21st May 1793.

Endorsed.—May 24, 1793
read in Council—
inadmissible.

To His Excellency John Graves Simcoe, Esqr Governor and Commander of his Majesty Province of Upper Canada &c. &c. &c

In Council

The Petition of Isaac Swayze Humbly sheweth

That the sufferings and loyalty of your Petitioner during the late rebellion are well known neither he presumes have his services been forgot He therefore most humbly prays that your Honor will grant him a location agreeable to His Majesty most gracious bounty to his loyal subjects

ISAAC SWAYZE.

Newark June 4th 1794.

(The whole petition is in Swayze's handwriting.)

Endorsed—Granted one thousand two
Hundred Acres and refered
to Surveyor Genl to locate the Same
read in Council July 8th 1794
gave the Minutes to Mr Swayze.

As hostilities with Spain seemed almost certain in consequence of the seizure of British ships in Nootka Sound, Lord Dorchester was requested to abandon his intention of returning to England on leave, through fear that the United States might be tempted to take an active part in the war to secure possession of the frontier posts, and he was accordingly directed to organize the militia for their defence.

FROM W W GRENVILLE TO LORD DORCHESTER

No 22 Secret

The Right Honble

Lord Dorchester

Whitehall, 6th May 1790.

My Lord,

In Consequence of discussions which have arisen between His Majesty and the Court of Spain relative to the Capture of some British Vessels on the North West Coast of America, & His Majesty having received information of armaments in the ports of Spain has judged it necessary to give immediate orders for augmenting His Forces.

I trust that the issue of this business will be such as to correspond with His Majesty's sincere desire for the maintenance of peace consistently with the preservation of the Honor of His

Crown, and the Essential interests of His people. But as it is possible that this business may take a contrary turn I have thought it right that Your Lordship should be apprized of it as early as possible.

It is I think extremely improbable that any attack will be made by Spain in the present circumstances on any of His Majesty's North American Dominions—But it is evidently to be apprehended that the existence of a war between this Country and Spain will give encouragement to the United States to demand the Cession of the Forts on the Frontier of Canada. And, it is possible that by holding out to them a prospect of obtaining this favourable object, the Court of Spain may be able to induce them to take an active part in the war. As this is a point of the utmost importance to the British interests, I am persuaded that Your Lordship will feel how necessary it is that His Majesty should have in that part of His Dominions a person to whose Experience talents and character He may look with Confidence for such a line of conduct as may be necessary to protect the whole of the remaining British Empire in America and that Your Lordship will therefore readily be induced to relinquish Your wish of returning to Great Britain this Season.

The necessary arrangements for the defence of those of His Majesty's possessions which are more immediately exposed to attack either by Spain if she should find herself in a condition for offensive operations, or by France, if that Country should be induced to become a party in the war, make it very doubtful whether any Reinforcement of Troops can be sent out to North America this year—As Your Lordship is empowered by an Ordinance of the Province to Embody such part of the Militia as shall be necessary you will of course on receiving accounts of the commencement of Hostilities, of which I shall not fail to give Your Lordship the Earliest intelligence, take measures for doing this as far as the circumstances of your situation may appear to require, and considering how large a part of the Inhabitants particularly in the Upper Country were in arms during the American War I should hope that this might soon be made by Your Lordship's Exertions an useful and efficient force.

I am &c.

W. W. GRENVILLE.

Endorsed

Draft To Lord Dorchester
6th May 1790.

Secret
(No. 22)

(Q 44, pp. 84-6.)

Copy of part of an ancient Survey of Township No 2

[illegible] Survey of the Township [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

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[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

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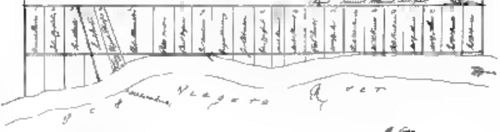
Samuel [illegible] [illegible]


Niagara
River

A Copy
[illegible]
Esq

Land Petitions B No 2 2/62

Tsy No 2
(2009) 1792

Early in 1788 Oliver Phelps, Nathaniel Gorham, and their associates had purchased from the government of Massachusetts their right of pre emption to all the Indian lands in the State of New York. To secure the good will of the Six Nations these persons had employed Samuel Kirkland the missionary and had endeavoured with some success to enlist the influence of Colonel Butler Joseph Brant, Samuel Street, and other persons living at or near Niagara. On being called upon by the commandant for an explanation of his conduct, Butler made the following rather unsatisfactory statement

FROM JOHN BUTLER TO LIEUT COLONEL HARRIS

Niagara, 18th May, 1790.

Sir

Agreeable to my promise to You this morning, I send you an account as far as has come to my knowledge respecting Persons concerned in the Purchases made of lands in the Indian Country. Messrs Oliver Phelps & Co of the state of Massachusetts had made a purchase from the Five Nations some time in the month of July 1788 of a large Tract of Land, at which time Mr Phelps offered a part of that Tract by Paying the sum that he did for it, to some Inhabitants of this Place, which was accepted and went by the name of the Niagara Company but thinking it improper to hold those Lands, I believe most of them gave up their Claim to them except Mr Street & Mr Barton who I believe are now the only persons that claim lands in that Country In order to accommodate some of my [illegible] in the New England States I got a Deed for them from Mr Phelps for 10,000 Acres with a promise of 10,000 more to be given them hereafter The Five Nations had lately made Sir John Johnson and myself a Present of a Tract of Land for the purpose of accommodating our Friends in the states, but Sir John having refused it I have also done the same and given them back the conveyance (they had given us) in the presence of Doctor Kerr and Mr Wm. Johnston the Interpreter

I had no other view of accepting that Present than to give it to my friends in the states and Lt. Col Hunter told me when he was here that he saw no impropriety in my getting Lands from Mr Phelps for that purpose.

I have the honor to be &c

JOHN BUTLER

Lt Colonel Harris
Commanding the Upper Posts

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[1] See Publications of the Buffalo Historical Society Vol XXIV pp. 79-88

P.S.—As Mr. Street is the Acting Person in this Business he will on his return be able to inform you more particular than I can.

Lord Dorchester disapproved the proposal made by Butler to encourage the migration of the Six Nations from the State of New York to the Grand River which had seemed to him the natural sequel to the sale of the greater part of their lands. Sir John Johnson was given orders to be watchful and warn the militia to be in readiness for a resolute defence.

From Lord Dorchester to Sir John Johnson

Quebec, 20th May, 1790.

Sir,

The Indian Intelligence communicated by Lieutenant Colonel Butler in his dispatch of the 15th April, importing that hostilities are intended against the Posts of Oswego and Niagara, with the request of some of the principal Chiefs of the Five Nations in consequence of that alarm, to know the boundaries of lands said to be given to these Nations on the Grand River, to which they propose to remove, appears very extraordinary.

It is not generally thought desirable for the Indians to abandon their country, and yet Lieutenant Colonel Butler's suggestion to allow a Year's provision to those who shall take that course as an incitement for others to follow, indicates a strong and decided opinion to the contrary. I shall be glad to hear his reasons.

I do not exactly comprehend what lands, said to be given to the five Nations on the Grand River, are alluded to; the boundaries of what was promised by General Haldimand I think have been described in writing, and are, or ought to be in Lieutenant Colonel Butler's hands, so that he should be able at all times to satisfy them in that respect.

But though I cannot discern how the removal of the Indians to the Grand River can benefit either themselves, the King's service, or the settlers in the upper part of the province, and fear that on the contrary it will occasion much inconvenience and distress, particularly at the present time when there is a general scarcity of provisions, yet it is not difficult to perceive the advantages and convenience which must result therefrom to those who have obtained grants of land in the Indian Country, and to them I impute the assertions of an attack upon Oswego and Niagara being in agitation, for I cannot easily persuade myself our Neighbours really mean now to begin a War.

But however improbable these reports of hostile designs against us may be, common prudence requires all proper precautions should be taken immediately and the more so as it is evident the Indians have been tampered with for some purpose or other.

You will therefore take all proper measures to excite vigilance in the Indian Department as well as in the Militia of the Western Districts and that all things be prepared for a vigorous defence against any insult that may be offered in those parts.

If anything occurs to you to be further necessary for putting our strength in the Upper Country in a better state of defence I shall be glad to be made acquainted with it.

Similar instructions are now given to the Commanding Officers of the Upper Posts.

Lieutenant Colonel Butler was right in advising the five Nations as well as their Scattered people to prevent their being involved with the Southern Indians.

I am &c.

DORCHESTER

To

Sir John Johnson Bart

(Q 46-2, pp. 432-4.)

Particular instructions were issued for the guidance of the land surveyors, in the delineation of townships on the shore of Lake Ontario in the tract recently purchased from the Indians at the treaty held with them at the carrying place of the Bay of Quinte.

From John Collins to Philip R. Frey

Quebec, 20th May 1790.

Instructions to Mr. Philip Frey Deputy Surveyor of the District of Nassau.

Sir

His Excellency having been pleased to direct "that the Land Board of Nassau employ the surveyor of their District with ten men to survey and mark the front lines of Townships from the eastern boundary of their district to Toronto and to carry the side line of each township back one mile well marked at such time as may best fall in with their general arrangement of the Summer business of their District if other more necessary work will admit of it."

You are to proceed to the execution of these services at such time and agreeable to such instructions as the Land Board of your District may direct, reporting to this office protractions of the work when finished.

You are directed to keep a journal and field book, inserting whatever is observable for its singularity and value towards the public utility, as water falls, minerals, quarries, the quality of the land and timber &c. &c.

And I am charged to apprize you that besides your return to me of a map and field book, you do also account for the time to be spent on it in a journal to be kept for the purpose with such minuteness and certainty as will enable you to answer questions respecting the business upon oath, if the same should be required.

There must be very strict attention to economy in the whole service and the hands dismissed as soon as they can be spared, and as the accounts will all be subject to audit, you'll take care to furnish the documents that will be expected in justification of every article of charge. It is not however his Lordship's intention by any small savings to disappoint the useful end for which these surveys are commanded, but there must be a responsible discretion exercised in the expenses both of the time and the means.

And you are on receipt of these instructions to communicate the same to the Land Board of your District for their information and that they may be the better enabled to direct such further particulars as their local knowledge and experience may suggest. I am with Regard, &c.

JOHN COLLINS D.S.G.

Approved by His Excellency Lord Dorchester

31st May 1790.

Henry Motz

(District of Nassau Letter Book No. 5, pp. 33-4.)

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

Montreal, 24th May 1790.

My Lord,

By the last post I was honored with your Lordship's letter of the 20th Instant.

It would appear as if Lieutenant Colonel Butler meant to encourage the Six Nations in their intention of removing to the

Grand River his reasons for so doing I am at a loss to know—unless it be to prevent them being detached from us and to have them more at liberty to Act with us in case of necessity Yet it is not at all Improbable that those who may have obtained Land from them, and have more extensive views may propagate those reports to encourage the Indians to abandon their Country Long ere this however Lieutenant Colonel Butler will have received my letter in which I acquainted him with your Lordship's sentiments upon that subject and directed him by all means to advise and discourage them from Removing, and I gave Captain Brant written Instructions to the same purpose.

Lieutenant Colonel Butler and the Six Nations are perfectly acquainted with the extent of the Tract allowed for the use of the Six Nations by General Haldimand, but the inclosed Letter will shew what is meant by their desire to know the Boundaries of their Tract on the Grand River.

I shall not fail to give every necessary direction to prepare the Indian Department, and the Militia of the Western District to guard against any attempt that may be made to Insult them in those parts at the same time I do not apprehend the least danger and only look on those reports as the Vaunting of a set of men who feel sore by the detention of the posts from them, for the reasons they assign—yet I am confident they would be the last to make the attempt threatened more is to be apprehended I should imagine from the eastern people, now settled in the neighbourhood of Oswego and Niagara—Nothing occurs to me necessary for putting our strength in the Upper Country in a better state of Defence than the strengthening the Garrison of Oswego, and that orders be given to the Commanding officers of the several Posts, in case of Invasion to furnish Arms & Ammunition to such of the Militia as may stand in Need of them upon the Requisition of the Commanding Officers of the Battalions—for want of an order something similar I shall ever regret the failure of an Expedition the Success of which would have been attended with the greatest advantage to His Majesty's Service.

I have the honor to be &c.

John Johnson

His Excellency

The Right Honble
Guy Lord Dorchester
&c., &c., &c.

(Q 46-2 pp 435-7)

Colonel Harris commented adversely on Colonel Butler's conduct in becoming involved in land speculation and demanded his explanation which he forwarded

FROM COLONEL J. A. HARRIS TO CAPTAIN LE MAISTRE

Niagara, 26th May 1790.

Sir

In my letter of the 26th of February last I acquainted you Lieut. Coll. Butler had shewn me a sketch of a Tract of Land, to the *Eastward* of this place which he meant to take up. I expressed my disapprobation and represented the Impropriety of it to him. Notwithstanding which the *Business was transacted* and a Deed obtained from the Indians—This Deed has been given up to him these few days.

The enclosed I received from Col. Butler in answer to some questions asked him relative to lands held in the states.

The true state of the case I have reason to believe is this—a sett of People call'd the Niagara Company have obtained Land in the states (near Genesee) to the Amount of Fourteen shares—each share consisting of Twenty thousand Acres, and the Members of the above Company I am informed, are Messrs. Lt. Col Butler Capt. Powell Lieut. Johnson and Docksteder Street Barton from the states (residing when here at Mr. Streets) and Murphy the Blacksmith and I have understood the Lands were to be held in the names of others, under title from Phelps, Gorham & Co.

When Mr. Street went from this he told me it was to bring in his property mostly cattle, and asked me if it would be convenient to take them for the Garrison in exchange for salt provisions his principal errand I believe is the Land-jobbing business abovementioned.

Mr. Frey notwithstanding his assurance to me of returning as early in the spring as possible has wrote word to his Creditors, that he means to remain where he is.

I have the honor to be &c.

Jno. Adolps. Harris
Lt. Col. Comg. Upper Posts.

Capt. Le Maistre
M.S. &c.

As the proposal for granting a further measure of self government to the inhabitants and the probable division of the province was then under consideration Lord Dorchester forwarded the regulations lately adopted for the grant of lands to encourage settlement which he accompanied with a form of the list to be used for distinguishing the United Empire Loyalists from other settlers.

Philip R. Frey the Deputy Surveyor

From Lord Dorchester to W. W. Grenville

No. 25

Quebec, 27th May, 1790.

Sir

The King's Instructions restraining the further Grants of land within the province under my government inclosed in your circular letter of the 10th of March, signifying at the same time, that it is not His Majesty's intention to preclude any claim to a grant of land founded on any antecedent step, that in equity gives a title to such grant, induce me to transmit the inclosed Regulations although they are part of the Council Minutes, concerning the waste lands of the Crown in this Province, as it may be proper on this occasion to bring the whole into one view, in order to shew the extent of certain equitable claims founded thereon.

A speedy settlement of the Upper Country with profitable subjects, provisions towards a strong and loyal Aristocracy, and the reservation of certain tracts in every township, for future uses, appear, on perusal, to be the chief principles on which they were formed.

A number of well affected persons have upon the faith of these regulations emigrated from the United States into the upper part of this province, and there is reason to believe, that a continuance of the same spirit, if not checked on our part, will fill that extensive country, which under the free tenure already promised to the settlers, may soon be brought to a flourishing condition

Care has been taken to reward the spirit of loyalty and industry, to extend and transmit it to future generations, and to predispose for the political classes and distinctions, necessary to good order, by opening the road to affluence and honors to all, whose diligence and fidelity shall keep pace with the benevolent intentions of the King's government.

Nearly one seventh (exclusive of roads and spots for public uses) of every Township or parish is reserved for the future disposition of His Majesty, and this I conceive to be as much as can be left in an unimproved state without injury to the present settlers—These reservations will no doubt become valuable when the population is advanced, and then may assist in providing for the Provincial expenditure

It is essential to the security of the King's dominions on this continent, that the people be Attached by the strongest of all ties, their own interest. The Landholders must ever be the chief defence of this country and should have nothing to gain, but much to lose, by a separation from Great Britain—An easy tenure of their lands will prevent a fruitful source of discontent

And while I am on this subject I cannot help expressing a wish, that in whatever manner it shall please His Majesty to dispose of the Estates of the Jesuits in this province, the mutation fines to which the tenantry are subject may be abolished

It will be economy in the mother country to avoid the necessity of sending her treasure abroad for the support of her provincial governments And her immediate advantages will depend upon the consumption of her manufactures, and the profits of a free and liberal commerce

The expediency of a strict observance of political justice, in the distribution of the Royal favors, and of the admission of all classes of the King's subjects to offices of honor and profit in proportion to their merit, and usefulness to the state, is too obvious to require being enlarged upon.

A schedule of the inclosures is subjoined

I am &c.

DORCHESTER

The Right Honble

W W Grenville

(Q 44-1 pp. 191-4.)

BLANK FORM OF ROLL FOR UNITED EMPIRE LOYALISTS

Roll of Captain Company of Militia of the

Battalion of District of

Names		Numbers				
N B.—Those Loyalists who have adhered to the Unity of the Empire, and joined the Royal Standard before the Treaty of separation in the year 1783, and all their Children and their Descendants by either sex are to be distinguished by the following Capitals, affixed to their names U E. Alluding to their great principle The Unity of the Empire.	Age	Married	Unmarried	Absent	Infant	Female

D

Lord Dorchester to Mr. Grenville

No. 25 of the 27th May 1790.

(Q 44-1 p. 224.)

In a second letter of the same date he described the precautions he had taken for defence.

From Lord Dorchester to W. W. Grenville

No. 26 Quebec 27th May 1790
See 1 to 7

Sir

Late Accounts from Niagara, copies of which are inclosed state that the Indians were much alarmed by intelligence of hostile designs against the posts of Oswego and Niagara.

The Commanding officer of the Upper Posts has therefore been ordered to take all necessary measures for their defence, to consider any Attempt to wrest them from us as a commencement of War and to repel it as such, agreeable to former orders given in December 1786

Sir John Johnson has likewise received orders to take all proper measures to meet such an event—Lieut. Humphrey of the Royal Engineers has been sent to Niagara, and Lieutenant Bruyere of the same Corps to Fort Ontario, to repair the damages sustained by the works in the course of the winter

The Indians about Niagara having taken umbrage at some part of Lieutenant Colonel Harris's conduct towards them it becomes necessary to relieve him from the command of the Upper Posts Lieutenant Colonel Gordon with the 26th regiment will therefore be sent to Niagara and Major Smith with the 5th regiment to Detroit.

I am &c

Dorchester.

The Right Honble

W. W. Grenville.

(Q 44-1 pp. 238-9.)

The following letter from Lord Dorchester to Sir John Johnson shews that he was greatly disquieted by reports of hostile designs and was not inclined to ignore them.

From Lord Dorchester to Sir John Johnson

Copy Quebec, 31st May 1790.

Sir

Though I may be inclined to think with you that the United States have no hostile designs at present, yet it is necessary that every preparation be made on our part to meet such an event however improbable.

The garrison of Oswego shall therefore be strengthened and the Commanding Officers of the Upper posts ordered in the event of hostilities, to furnish Arms and Ammunition to each of the Militia of their Districts, as may stand in need of them, upon your requisition, as far as the quantity in store may admit, consistently with the immediate defence of the garrisons.

You will be pleased to inform me, whether any and what arms and accoutrements have been restored to the several disbanded Corps of Royalists in this Province from the deposits in the Upper Country in consequence of the General Order of the 16th of February 1788 and what further quantity may be requisite to be deposited at the different posts to arm the Militia of the Western Districts in case of emergency

I also wish to know your opinion whether it may not be advisable in case of further continuance of hostile appearances to embody a Battalion of Militia in the Upper Country under the Ordinance of 1787.

As the Mohawks on the Grand River have not been able to preserve peace among themselves, and a part has in consequence of their quarrels quitted the Settlement there is still greater reason to fear, that an Accession of others, not of the same tribe, will renew those Evils, and occasion much uneasiness to themselves, as well as to the Loyalists, besides the general detriment to their own interest.

I am &c.

(Signed) Dorchester.

To
Sir John Johnson Bart

Endorsed—In Lord Dorchester's to Mr Grenville No 56, dated 17th Oct. 1790.

(Q 46-2 p. 440.)

Among other persons consulted by Mr Grenville at this critical period one of the best informed was John Inglis the senior partner in a firm of London Merchants deeply interested in the Canadian fur trade.

FROM JOHN INGLIS TO W. W. GRENVILLE

Mark Lane, 31st May 1790

Sir

Agreeable to your request I have the Honour to send herewith for your information a state of the Indian Trade at the different posts in Canada.

I believe I may venture to assure you, that it is correct as far as any estimate of a fluctuating Trade can be made.

I beg leave also to mention that the Merchants in this Country & in Canada, who are engaged in this adventurous Traffick, have generally a property embarked, & chiefly in the Indian Country equal to two years returns, & there is besides, fixed property of considerable value at the Posts of which I think an Estimate was furnished from Canada for some of the departments of Government.

When it is in your power to see me I will be ready to attend with Mr. Todd[1] the gentleman I mentioned on Saturday. He has been long engaged in the Trade, & has within two years been at the principal posts. He can I am sure furnish every information you may wish, relating to the Indian Trade.

If Military Information is wanted may I be permitted to suggest that Lieut. Col. De Peyster of the 8th Regt. can probably furnish the best. He has the reputation of being a sensible & intelligent Officer, has served more than twenty years in that Country & during the late War generally commanded at one of the Garrisons as I understand with much satisfaction to Sir Fredk Haldimand & with very great Reputation to himself.

I have the Honour to remain &c.

JOHN INGLIS.

Endorsed Mark Lane, May 31. 1790
Mr. Inglis
R. 1 June.
1 Inc.
(Q. 49, pp. 287-8.)

The statement enclosed by him was illuminating as to the extent and value of the fur trade.

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[1] Isaac Todd of the firm of Todd and McGill of Montreal.

The produce in England of furrs & skins imported from the province of Quebec taking the trade at the average of the last ten years amounts to the sum of Two hundred thousand Pounds P. Annum which furrs &c are traded for in different districts as nearly as can be ascertained as under viz!

The whole Country & Posts below Montreal	30,000	
The Grand River—The North side of the Lakes Ontario, Huron & Superior	30,000	60,000
In the Country generally called the North West	40,000	
In the Countries to *Southward* of the Lakes, the trade of which are principally brought to the Posts of Detroit and Michilimackinac there being very little Indian Trade at Niagara	100,000	140,000
as above		200,000

Although there is no Indian Trade of consequence at Niagara, that Post is the key of the communication to the principal Trade of the upper Countries of Canada—It is very uncertain whether the Trade to the North West can be carried on otherwise than by the post of Michilimackinac

The American Claim extends to the Lake of the Woods if admitted they command the present Communication from Canada & in that case the Trade also as stated above at £40,000. The Trade stated above at £100,000 is carried on by Traders who go into different districts as under

In the district of the Garrison of Detroit viz!

The Fort of Detroit Segana & the south side of Lake Huron		1,000
Miamanies & Wabach Country		2,000
Sandusky		400
	say	3 400
Say 3,400 packs of furrs estimated at £12		40,800

In the district of Michilimackinac viz!

On Lake Michigan

The Grand River	100
St Joseph's	300
Chequage	100
Milwake	120

La Bay or Green Bay including the upper part of the Mississippi	1,500		
The South side of Lake Superior	300		
The Illinois Country	600		
	3,020	packs of	
Furrs estimated at £20 each is			60,400
			101,200

This computation exceeds the Sum in the general Estimate £1200

From this short state of the Indian Trade, it appears that if the Country & posts are ceded to America agreeable to the Treaty 3/10 of the Furr Trade of Canada will only remain for certain to Great Britain—1/5 is dependant upon Contingent circumstances—The remaining half will inevitably be lost. It is true that probably 3/5 of the Merchandise necessary for the Supply of the Indians will in any event be furnished by Great Britain but the labour of the great number of persons employed in the Trade from Canada is of importance as well as the Trade with the British Settlers at Detroit where the fixed property & cultivation is of considerable Value.

It is presumed that America is not well prepared to Garrison the Forts to protect the Traders & carry on the Trade with Effect, & that dissatisfaction or War with the Indian Nations will be the inevitable consequence of their being abandoned by the British Troops. All which is humbly submitted.

PHYN ELLICE & INGLIS.

London, 31 May 1790.

(Q 49, pp. 389-90.)

Captain (afterwards Admiral) John Schank who had commanded the naval force on the lakes supplies the Minister with precise information respecting the state of the military posts and ships on those waters, based on personal knowledge.

MEMORANDUM BY CAPTAIN JOHN SCHANK R.N.

1st. Oswegatchie is the first place on the navigable part of Lake Ontario at the East End and on the American side, but should it be necessary there is ground on the British side, which would answer the purposes intended for the Fort & Storehouses.

2nd. Oswego is next on the American side and in my opinion is the only place of any great consequence to them and indeed the only one that would give them any advantage over the British in the Fur Trade, as it is the leading passage from New York through the Oneyda Lake and as there is no ground nearer than the opposite shore, which is about 40 miles across, it would not be possible to prevent British Merchants from trading with those of the American States, and carrying their Furrs to New York in preference to Quebec

From Oswego to Niagara there are some few Bays where Boats may lie in Summer, but of no great consequence

3rd Fort Niagara is the largest Fort and of the greatest force, both with respect to guns & Barracks &c. on the American side, but the ground on the opposite shore is in my opinion equally high, and the soil better so that every conveniency necessary for a Post could be erected on the British side, with a Carriage road as good, as that now on the American shore, and the conveniences for shipping are all and ever were, on the British side.

4th Fort Slosser is the next on the American side, and above the Falls of Niagara chiefly intended to protect the Provisions and merchandize which may be sent up Lake Erie. A Fort with all other conveniences may be erected on the opposite shore.

5th. Fort Erie is on the British side, and at the foot of the Lake, and is as well suited for the protection of Merchandize &c. as appears to me to be necessary and is near the Road where the Shipping lie

The other shore is not in my opinion so well adapted for the above purposes.

6th The next place on the American shore, that forms anything like a Harbour for the reception of Vessels, is Presquisle, which river leads near to the branches of several others, running towards the States

7th At the West end, and towards the South side, are the Sandusky & Miamis Rivers, They lead away to the South into the States, and towards the Mississippi and many other branches of that River and I believe is a good Country for Furs

8th. The next place on the American side is the Town & Fort of Detroit and a Settlement of some miles distance on both sides of the River but a Fort could be erected equally as commodious on the other side as I believe there is little difference with respect to the ground The River is about the same breadth as that of Niagara, which I consider to be nearly the distance of a musket shot.

9th Michillimackinac and the Falls of St. Mary's, Lake Superior and the Lake of the Woods I cannot speak of with certainty as I have never been there but it appears to me that the line of division points them out as favorable to the Americans, as the passage into Lake Superior is on the West side, the East side being I understand rocky and almost impassable, and that most of the Furs are got to the West of these Lakes.

Endorsed—

Accot of the Posts in Canada.
R from Capt. Schank May 31 1790.

(Q 49 p. 291)

MEMORANDUM BY CAPTAIN JOHN SCHANK, R.N

List of Ships now on Lake Champlain viz:

	Tons	Guns
Royal George	384	26
Inflexible	204	22
Maria	129	14
Carleton	96	12
Washington	127	20
Trumbull	119	14
Liberty	37	8

All these ships are old but repairable

List of Ships now on Lake Ontario belonging to the King

Limnade	220	16
Seneca	130	18
Caldwell	37	2

Old but repairable.

2 schooners of 100 Tons each building
Merchant Vessel on the above Lakes
Schooner Lady Dorchester 90 Tons
Some Large Boats or Craft belonging to the Settlers on this Lake.

Kings Vessels on Lakes Erie & Huron

Rebecca	136	16
Felicity	45	
Wyandot	37	
Chabougar	37	

Repairable

The above is all the King's Vessels and buil before 1783 I believe there are some others now building Belonging to Merchants on the above Lakes

Beaver	40 Tons
Saganaux	40 Tons
Industry	20 Tons
A Vessel to be launch'd this Spring	90 Tons

On Lake Superio

Two small Vessels belonging to the Company trading to the N West about 12 & 15 Tons

Indorsed. List of Ships &c. on the Lakes.
R. from Capt. Schank, May 31 1790.

(Q 49 p. 295)

PROCEEDINGS OF LAND BOARD

Land Board Nassau 7th June 1790.

"Present Lieutenant Colonel John Butler Peter Ten Broeck Nathaniel Pettit Esquires.

"The Board, having met according to appointment took into consideration several petitions, viz. two from the Distressed inhabitants of this District, Dated 15th May 1790, praying a longer time than the stated period for making returns for the provisions lent to them by Government. One from Elizabeth Thompson (Widow) stating that His Lordship had been pleased to grant the petitioner some lands upon an application made at Kingston last Summer praying that the Board will make known to her the quantity of lands his Lordship will be pleased to allow her also a petition from Samuel Street Esquire, which the Board submit to his Lordship's consideration

Sir John Johnson was instructed to make a special journey through the western parts of the province to inquire into any valid reasons for dissatisfaction in his dual official posts of Superintendent General of Indian Affairs, and Superintendent of the New Settlements.

See also Papers and Records Ontario Historical Society Vol. XXIV p. 142

From Lord Dorchester to Sir John Johnson

Quebec, 17th June, 1790.

Sir

The paternal benevolence of the King's Government requiring that all causes of dissatisfaction and uneasiness among the Indians and among the settlers in the Western Country in general, be minutely investigated and removed, and His Justice requiring at the same time that all His servants shall execute their respective trusts, with fidelity free from doubts or suspicion, I avail myself of Your zeal and experience for the accomplishment of these objects, which I am persuaded will be best attained by your personal exertions on the spot.

You will therefore be pleased with all convenient speed to repair to the western parts of the province, where,

1. You will make all necessary inquiries into the conduct of the officers of the Indian Department in the discharge of their general trust, as well as the due observance of the established orders and instructions at Niagara, Detroit and Michilimackinac, if the season, and the business of the two first mentioned posts, will admit of your going so far

2. You will take all proper means to discover the true temper and disposition of the Indians about the different posts and trace as far as possible the true origin of the late alarm spread amongst the Six Nations, of hostile designs against the posts of Oswego and Niagara as well as the causes of certain irregularities supposed to have been committed by the Indians near Detroit in consequence of which several of the Loyalists settled are said to have been obliged to abandon their farms. These matters require the greater attention as they may be connected with the secret Machinations of designing persons inimical to the King's Authority and Government. It will be expedient to institute a solemn Inquiry into the truth and origin of the disorders complained of at Detroit by convening the Indian Nations, whom it may concern and requiring them to discover the motives of their conduct, examining such of the injured settlers, as may be within reach and all others who may have any knowledge of these transactions, taking proofs upon Oath, and reporting the result with due particularity

3. You will make diligent inquiry into the truth of the reports mentioned in a former letter of the 12th of April last, that several persons in the King's service and others the King's subjects, in this province are possessed of, or have interested themselves in the acquirement of Titles to lands beyond the line marked by the late Treaty of peace, in the Upper part of the country under the pretence of title from the States or their subjects, or

the Indians. You will endeavour to ascertain all necessary particulars relative to such acquisitions, agreeable to the aforementioned letter, and extend your inquiries in this respect to any points interesting to the government, particularly what is the nature and object of the pretended titles and the views and aims of their Associates, and whether any of the persons above described have actually taken Oaths of fidelity to the United States or any of them, and what duties are exigible or expected as the condition for the enjoyment of such property. And you will at the same time inform yourself as fully as possible, upon the present condition of the more recent occupations under the American States in their Approaches to the Line of Partition, and in your report of the strength and intention of the settlements communicate your ideas upon the probable consequences and especially as to such as appear to you to give any ground for more than ordinary apprehension.

4. You will make the strictest Inquiry into all ill founded claims of individuals within the treaty line, unfriendly to the general progress of industry and contentment in the western districts, and into every illegal practice countenancing pretensions of title not warranted by Authority derived from the Crown. And I trust that your influence with the Indian Nations will enable you to prevent any ill designing persons from rendering them instrumental in any partial projects injurious to the public peace and tranquility, subversive of the benevolent intentions of the government and repugnant to the rights of the Crown, as the only fountain of title to all the subjects of its protection.

5. You will in general lend your aid in all matters interesting to the prosperity of the western settlements, and for that end act as president of the different Land Boards wherever you may be present.

The Land Boards will bring you acquainted with the impediments they have met with, and they will not lose the opportunity of your presence and aid for concerting the means to remove them, and for the speediest and fullest representations to me in all the instances requiring the special and more effectual interposition of the government.

It is of the highest consequence to the strength and prosperity of the western frontiers, that the legal settlers, who have obtained locations under the Authority of the Boards, set down in the firm confidence of the Royal protection, and it is necessary to that end that their minds be free from every apprehension of insecurity and vexation.

6. On your arrival at Detroit you will endeavour, if it is not already done, to effect as extensive a Purchase of Indian

lands on the North of Lake Erie, and along that shore up to Lake Huron as may be consistent with the comfort of the Indians, but their consent and full approbation is indispensably necessary.

7. It having been represented to me that in the year 1784 Orders were given by General Haldimand to Captain Caldwell to collect and take with him to Detroit such of the disbanded Rangers, as might wish to settle in that vicinity, upon a certain tract, ceded by the Indians with whom they had served during the war for that purpose, that the then Lieutenant Governor of the post was at the same time ordered to give them the aids granted to disbanded Troops and Loyalists in the province, that a small number of rations was actually issued to some of these people at Detroit in consequence of the said orders, but that there are now complaints of a number of persons of this description having been deprived of provisions, to which they were entitled—You will make diligent Inquiry into the foundation, extent and equity of these claims, and report thereon.

8. You will give such directions on the spot with regard to all matters concerning the Indian Department as you may find requisite, and upon your return, or previous thereto if necessary, make full and particular report to me respecting all the objects of these Instructions, and on all other points connected with the security, comfort and welfare of the Loyalists which may occur in the course of your inquiries, together with your opinion of the proper measures to be pursued therein for the advancement of the King's service and the prosperity of his subjects in that part of the province.

I am &c.

Dorchester.

Sir John Johnson Bart

(Q 46-2, pp. 442-8.)

By a second letter Johnson was required to make a particular investigation into the conduct of Colonel Butler which had seemed so reprehensible.

From Lord Dorchester to Sir John Johnson

Quebec 17th June 1790

Sir

In addition to the Third Article of my letter of instructions to you dated this day and by which you are directed to make diligent enquiry into the truth of the reports mentioned in a former letter of the 12th April last that several persons in the

King's service and others the King's subjects, are possessed of Lands beyond the line marked by the late Treaty of peace, I think it necessary to Acquaint you that a letter dated the 20th October 1789 and received the 23rd April last states that it had been reported that some of His Majesty's subjects now residing in Canada, have been in great measure parties to the purchases made of the Indian Lands, and that it is believed that Colonel Butler is largely concerned in these grants, and further it is desired in case the report is founded that Col. Butler be called upon for a justification of his conduct in this respect, it appearing on the first view to be no less than applying his influence with the Indians and which he derives from his official situation to promote the objects of the United States of America, and to further his own private interests—Wishing to give you every information, I likewise enclose you copies of Letters from Lieut Col Butler and Lieut Col Harris of the 18th and 26th May last on this subject—I must add to the above that there are reports, that it is Colonel Butler's intention to withdraw himself to the States

You are therefore desired to be very minute in your Enquiries on this head tho' at the same time you will proceed with all that delicacy you will perceive the nature of the case may require, and if you find as suggested you will be pleased to call upon Colonel Butler to explain the reasons of his conduct, and report the same accordingly with your Opinion thereon

I am &c.

DORCHESTER.

Sir John Johnson Bart

(Q 46-2, pp. 449-50)

The number of applications to the District Land Board had become so large as to render weekly meetings advisable and it was decided to take a vote of the inhabitants on the site for a town

PROCEEDINGS OF LAND BOARD

"Land Board Nassau 21st June 1790.

Present Lieutenant Colonel Harris, Commanding the Upper Posts Lieutenant Colonel Butler Peter Ten Broeck Robert Hamilton, Esquires

"The Board having met are of the opinion that from the variety of business which will come before them it is necessary to have regular and stated meetings for the despatch of business, and do for that purpose appoint every Monday at eleven o'clock in the forenoon for that purpose That the inhabitants of this

District be advertised of it accordingly, and the Clerk proceed to fill up the certificates of location for such of the settlers whose claims are free from dispute. The Board recommend meetings of the Militia to be called for the purpose of taking the sence of the inhabitants respecting the most eligible Plan for a Town and Public Buildings. The following places* are offered for their choice 1st The Crown lands near Captain McDonnell's farm 2nd, the center of Township No. 1 on the banks of Niagara River 3rd the rise of Mount Dorchester above the landing 4th, the Glebe lands on Mount Dorchester, and that the same be reported on the second Tuesday of July next. Adjourned to Monday 28th inst.

*The Crown lands mentioned above are solely meant with application to and the consent of Government obtained.

J A H R H P T B.

"Land Board, Nassau 28th June 1790.

Present Lieutenant Colonel Harris Commanding Upper Posts, Peter Ten Broeck, Robert Hamilton Esquires

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Major Robert Matthews, who had been Military Secretary to General Haldimand and his successors in command for nearly eight years 1778-1786 and was known to have made an official tour of inspection of the western frontier posts, had been called upon to make a special report on the subject of their contemplated evacuation for the information of the Colonial Secretary.

FROM MAJOR ROBERT MATTHEWS TO EVAN NEPEAN

Plymouth Barracks, 9th July 1790

Sir

I am sorry that, owing to the Reviews and sudden march of the 53rd Regiment from Bridgnorth to this place, I should thus long have been prevented communicating to you for Mr. Grenville's information remarks upon the upper country and Posts in the Province of Quebec from reference to my notes when in that Country such as they are. I have now the honor of submitting them.

In the year 87 I went from Quebec to Detroit[1] having various instructions from Lord Dorchester, one of which was to make every possible enquiry respecting places of Embarkation and fit

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[1] See No. 39 pp 11-12.

Posts upon the Lakes Ontario and Erie as substitutes for those at present occupied in the event of their being given up to the United States of America. From the best information as well as from my former knowledge of the Country I found that on Lake Ontario there is no place beyond Niagara fit for that purpose nearer to it than Toronto (about 60 miles) the shore on that side being shoal and without any harbour this seems to preclude all communication between these Lakes in the vicinity of Niagara should that place be given up (unless a Post is established on the opposite side of the River) which on account of the Trade as well as the fine settlement thence to Fort Erie and beyond it (about 30 miles in extent) would be a melancholy necessity as it would lay them open to the Americans, which the sanction of a post at present prevents. There is a point of land, on our side of the River, opposite to Niagara which forms the mouth of the River equally well situated to command the entrance of it—this Point and a necessary portion of land was reserved to Government by Sir Frederick Haldimand with a view to the necessity of one day taking Post there—about 1100 yards up the River, on the same side there is a harbour where the vessels formerly wintered & where they can run alongside a Quay

Fort Niagara is situated upon an angle formed by the Lake and River the side next the land was two half Bastions with a long curtain and Ravelin all of sod work, there is a strong stockade in the ditch [illegible] and on the Berm [illegible] line of Pickets sloping outwards, there are two Blockhouses of mason work in the gorges of the Bastion mounting each two pieces of cannon en barbette which commands the whole country within their range.

The sides next the Lake and River are stockaded the former not open to attack except from the Lake, nor the latter but from the opposite side of the River (at the distance of 7 to 800 yards) this side has two Bastions mounting 12 & 18 pounders the whole in a good state of defence

Fort Schlosser or Little Niagara is situated at the upper end of the carrying place, 14 miles from Niagara it is an inconsiderable stockade intended merely for the protection of stores & merchandize while in waiting for conveyance, and will lodge an officer and 40 men—On the opposite side of the River a reserve of land was also made in order when it might be necessary to remove the carrying place

From Fort Schlosser the conveyance is in Batteaux to Fort Erie, 18 miles farther and the Post of Embarkation upon Lake Erie for Detroit this is the only Post remaining to us by the Treaty

The work consists of four small Bastions, two of bad mason work washed by the Lake, and two on the land side stockaded. it is quite in ruin, and was originally very improperly placed, being commanded within a short musket shot, and exposed to injury from the Lake in Southerly and Westerly winds. if we keep that Country, a good Post here will be indispensably necessary.

Detroit is situated 18 miles up the River from Lake Erie, its principal defence is a sod work hastily thrown up on the commencement of the Rebellion. it has four sides with half Bastions, a Fraise upon the Berm and a good stockade in the Ditch, the greatest diameter of this work is not 300 feet. it commands the upper part of the Town (at the distance of 250 yards) but the other part, situated upon a slope to the River, is not seen from it, there are about 22 nine & six pounders mounted here, with Barracks, Stores, &c proportioned to its size, it is connected with the Town by a strong stockade flanked by wooden block houses, all which form a good defence against musketry, or any sudden attack. Should this Post be given up, and another taken, the most convenient place will be at the entrance of the River, upon a point at present occupied by some officers & men who served the war as Rangers with the Indians—the channel for ships runs between this Point and Isle au bois blanc, which should be also fortified, the distance from each to mid-channel about 200 yards. There is a fine settlement running 20 miles from this point on the north side of the Lake.

The next and last Post on this communication is Michilimackinack, at the farther end of Lake Huron, situated upon an Island about nine miles from the main. the works here never were finished and its insular situation is its chief defence, this is the great resort of the Fur Traders fitting out for the N. West Trade and the centre of a very considerable one in that vast Country to the Mississippi for this Post no good one I am inclined to think can be substituted nearer than the Falls of St. Mary very many leagues from thence, but might answer for the N. West Trade as the Furs are brought from thence down the Grand or Ottawa River directly to Montreal leaving the Lakes to the Westward. but the loss of Makina will entirely sever from us the Western Trade above mentioned which is carried on by the Lakes, the greatest part of which, there can be little doubt will pass by the Oswego River into the United States, and the N. West Trade, or a part of it must ultimately be drawn that way also from the same cause.

I cannot finish without taking notice of the Post of Cataraqui (now Kingston) situated in a Bay on the Lower end of Lake Ontario—it was a considerable Post for Trade with the French, well fortified and garrisoned but was never occupied by us until the year 83. when the Commander in Chief considering it a proper place to withdraw the Provisions Stores &c to; in case the Posts should be relinquished established a Post and Settlement of Loyalists there extending many miles upwards, which has daily increased and will if not interrupted continue round that side of the Lake to Niagara—at Kingston there is an excellent Harbour and here the Trade upwards will embark for Niagara.

Without Posts of strength in that Country it cannot be expected that much of the Trade will remain with us, and how far it may be preserved by forming Posts in lieu of those we now occupy is I think very problematical. The Indians have ever since the Peace, dreaded our relinquishing the Posts and will assuredly take the alarm whenever that happens after which their Friendship can, of course, no longer be depended upon.

I have the honor to be with great esteem Sir

Your most obedient and most humble Servant

R Mathews

I have annexed an Abstract of the Peltries from the N West & Michilimackinac & Dependencies, I think of the year 88 on which you may depend

(Q 49 p 309)

Dorchester suggested the expediency of promoting the exportation of the produce of the United States through the port of Quebec by a treaty of commerce.

FROM LORD DORCHESTER TO W W GRENVILLE

Quebec 21st July 1790

No. 43.

Sir

While the affairs of this Country are under consideration it may not be amiss to submit to the wisdom of His Majesty's Councils, whether it is not expedient to allow all the produce of America of what kind or nature soever which shall come to the ports of Quebec or Montreal by Land or Inland Navigation, to be exported by sea under the same regulations and with the same advantages, as the produce of this province, leaving the Provincial Legislature to regulate the internal consumption as their own interest may require It seems to me that this measure, in the natural course of things must produce three considerable advantages, Canada must gain by the passage of all commodities through the Country Great Britain by an increase of her carrying trade, and both by interesting our neighbours to preserve in the hands of Great Britain, this outlet to the sea and to the most profitable markets for all their produce: the advantages of this system will increase in proportion to the extent of its operation.

Perhaps it may not be adviseable at once to open to the full extent all these indulgences, but to leave it to the Governor as at present, the power of extending them, as the condition and progress of things may require, that our settlers on the north side of the lakes may acquire strength, and get the start of those on the opposite shore in population, improvement of their settlements, and the Navigation of the upper Lakes.

Though it does not appear at present to be our interest to encourage the settlements of our neighbours south of those lakes and the river Saint Lawrence, nor yet to check them by any violent measures, but to let them take their own course, while they keep at a proper distance, we ought nevertheless to pay a vigilant attention to their progress, and act as the change of things may require, taking great care firmly to establish in those parts the national character for justice, moderation and liberality, never to be departed from under any change whatever, however uniformly this policy be adhered to near the source of government, to establish and maintain it in those distant countries will require great care and constant attention.

It appears to me highly proper to form alliances with our neighbours, as soon as all things are well matured for that purpose, but their own interest alone can render them cordially attached to us and give duration to any of their engagements.

I am &c.

The Right Hon'ble DORCHESTER.

W. W. Grenville.

(Q 45-2, pp. 532-4.)

Mr. Grenville repeated the previous instructions to Lord Dorchester that every effort should be made by the officers of the Indian department to restrain the Indians from attacking the frontier settlements of the United States.

FROM W. W. GRENVILLE TO LORD DORCHESTER

No. 29 Whitehall, 4th August, 1790.

Right Hon'ble
Lord Dorchester

My Lord

I have had the Honor of receiving and laying before the King Your Lordship's Dispatches No. 19 to 38 inclusive. I have also received your Three Letters marked "Private and separate" of the 27th of May & 7th June

At the same time that I acknowledge the very full Intelligence upon Indian Affairs contained in No. 26 35 37 and others I must lament the Depredations and Excesses which they state to have been committed by the Indians on the Ohio, and near Detroit particularly on account of the Embarassment and Danger which may arise from the Americans sending an Army against them

Every Endeavour should on this Account be used to restrain them and I hope that Colonel Butler's exertions to that End and the Message of Remonstrance which has been sent to them from Detroit will have proved effectual

The Probability of Your Lordship's speedy Return to England and Lieutenant Governor Clarke's Presence here at this moment make it more unnecessary for me to enter into a Discussion by Letter of the several Matters under consideration in the Indian Department or of the subjects mentioned in your other Dispatches

I am &c

W. W. GRENVILLE

(Q 45-2, pp 510-11)

Immediately after his arrival at Niagara, Sir John Johnson complied with one article of his instructions by presiding at two meetings of the Land Board.

PROCEEDINGS OF LAND BOARD

Proceedings of a Land Board Held at Navy Hall, the 23rd August 1790.

Present Sir John Johnson, Bt President, Lieutenant Colonel Harris, Commanding Upper Posts, Lieutenant Colonel Butler Peter Ten Broeck Robt. Hamilton Esquires.

The first business brought before them respected the disputed lines in the front Concession from Shawers to the upper part of Township No 1 when the Board taking into consideration that by the first line those lots were settled that any alteration now made in them must derange the whole settlers, and that this matter was also formerly determined by a Board of Magistrates before any Land Board was formed

They determined that the original lines as made by Allan McDonell in these front lots, shall be held good and that the occupiers shall keep what lands they possessed in consequence of that original survey.

"A memorial from Augustus Jones was laid before the Board, stating his services since Mr. Frey's departure from this settlement, as surveyor, and that these have not in any way been compensated for. The Board considering that his time this Winter had been entirely taken up in this service, direct that application by petition shall be made to head quarters that the pay of the person appointed surveyor may for that period be given to Augustus Jones and to be continued to him while the Board shall think proper to employ him in that line.

"Adjourned to the 25th Instant.

"Land Board held at Navy Hall, 25th August, 1790.

"Present: Sir John Johnson, Bt., President, Lieutenant Colonel Butler, Peter Ten Broeck, Esquire, Robert Hamilton, Esquire, Nathaniel Pettit, Esquire.

"A disputed Claim on lots No. 19 and 26 in the first and second concessions of Township No. 1 between Lieutenant Colonel Butler and John McNabb, Esquire, determined in favor of Lieutenant Colonel Butler, as the certificate by which Philip Frey held these lots and which he had assigned to John McNabb, was found illegal, being signed by John Collins posterior to the regulation depriving all surveyors of that power and vesting it solely in the Land Board.

"A memorial from a number of the principal inhabitants, officers of Militia, and others stating the want of a place to erect public buildings on, and praying Lord Dorchester to grant them a part of the lands near Navy Hall reserved for the use of Government, was presented and being approved of, was directed to be transmitted to his Excellency and the President, Sir John Johnson, is requested to take charge of this.

"Received a Letter from Augustus Jones stating that a number of chain bearers and others employed by Mr. Frey still remain unpaid, the Board resolve to take the accounts in which these are included into consideration the earliest opportunity.

"Adjourned until to-morrow, 26th instant.

"N.B.—The Board did not meet pursuant to this adjournment."

The interpreter, who had been present at the councils of the Six Nations held to consider the sale of their lands in the State of New York, gave the following circumstantial account of their proceedings, which was supplemented by written statements from Ralfe Clench, Joseph Brant, Augustus Jones and Colonel Butler himself, and a complaint from some chiefs of the Senecas who were dissatisfied.

Statement by William Johnston

William Johnston Interpreter at Niagara, for the Six Nations, his Account of the Transactions with respect to the Sale of the Indian Lands.

Buffaloe
Creek 20th
Oct. 1787

Mr. Livingston and Doctor Benton sent a Message to the Six Nations inviting the principal Chiefs to their fire place.

Old Smoake and the Chiefs sent the former's brother a Seneca Chief and two or three of each Nation to let Livingston and Benton know the season was too far advanced for them to attend the meeting and many of the principal Chiefs were absent that those Warriors now sent were to cover over the fire until the spring & not to enter on any business whatever.

Mr. Livingston & Benton had said in their speech they were impowered by Congress to hold a treaty with the Indians of the Six Nations at Canadasaga.

November 20th. Several of the Warriors sent by Smoake to cover up the fire returned from Canadasaga who informed him and the Chiefs that Livingston and Benton had taken a Lease for the whole Indian Country, that when they signed the paper they were told it contained speeches that passed between them and an Agreement to see each other in the spring at that place; there is every reason to suppose Abeel and a few others were bribed to get the Lease signed.

Old Smoake being unwell and not able to do business at this time, the Chiefs applied to Colonel Butler for advice as they heard all their Country was sold by a few young men which sale they did not think legal.

Livingston & Benton being to pay for the Country sold in the spring at Canadasaga the Chiefs wished Colonel Butler to be there at that time as they were determined not to Agree to the sale or to part with their Country—Col. Butler said everything in his power should be done to assist them, but he could not see what

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John O'Bail

steps to take in order to recover the country as they had given a Lease for the whole of it, that if he could think of anything proper to be done he would let them know—he then said there was one thing he had thought of that might serve them which was for the Chiefs to give him and some other person a lease of the Country and date it before the date of that given to Livingston and Benton, he desired them to consider of it and if they agreed to it they might keep the Land or he would keep it for them, the Chiefs readily agreed to this and in March he, Capt. Powell and Mr Murphy got the Lease signed by the Chiefs at Buffalo Creek which Colonel Butler said was the only thing that could serve them

April.—The Six Nations had a general meeting at Buffalo Creek and sent for Colonel Butler to be present as they had received a message from Governor Clinton inviting them to a meeting at Fort Stanwix—Colonel Butler and Lieut. Vassall of the 65th Regiment came to the meeting when the Chiefs agreed to send a Message to Governor Clinton, Mr Livingston & Benton, inviting them to their fire place at Buffalo Creek, where the business of the Six Nations was done, the Chiefs then insisted on his going with them to Canadasaga to take Messrs. Livingston & Benton by the hand and lead them to Buffalo Creek the fire place of the Six Nations, he told the Chiefs he could not do this without leave of the Commanding Officer and advising Colonel Butler of it and it was inconvenient for him, and the Chiefs still insisted on his going and some of them went to Niagara and acquainted Col. Hunter and Col. Butler that they were desirous he should go with them, which they approved of

In May he left Buffalo Creek with three or four Chiefs of each Nation of Senecas, Onondagas, & Cayugas on the way he strongly recommended it to the Chiefs not to accept of any present from Livingston or Benton but only deliver their Message get an answer and return the Chiefs requested he would use his endeavours to prevail on Livingston & Benton to go with them to Buffalo Creek where the business could be settled in the presence of all the Six Nations.

In June they arrived at Canadasaga when the Chiefs delivered their message to Doctor Benton and a Mr Gilbert Livingstone not being there, Benton said he did not intend to Comply with the Chiefs request, not thinking himself safe in going to Buffalo Creek, and their Agreement with the Six Nations was to pay them at Canadasaga, and as there was a sufficient number of Indians present he would pay them for the Country they had purchased he then told the Doctor he thought the Lease was not Legal which they had taken for the Indian country as not one principal Chief had signed it and that those who had were not authorized to do it, that he thought, for their own safety they should go to Buffaloe Creek and have the matter settled, as the Indians in general were greatly dissatisfied, and that any agreement he might make there would be by the consent of the whole of the Six Nations. Benton then said he was informed some gentlemen at Niagara would do all in their power to prevent the Indians parting with their Country which was one reason he declined going to Buffaloe Creek he said he knew nothing of this and that the Indians could act as they thought proper respecting the sale of the Lands that he could see no danger in their going to Buffaloe Creek

A Mr Barton, Benton & Gilbert then had a long Conference together and the next morning Barton & Gilbert told him they had agreed to go to Buffaloe Creek and that Doctor Kirtland would go with them. The third day after they left Canadasaga, and about twelve miles from it met Mr Phelps and Mr Lee who had been at Niagara and were returning. Phelps told Benton he was glad to see him and wished no time might be lost in their going to Buffaloe Creek where they arrived the   of June, he left them in the Indian Village and went to his trading House at the mouth of the Creek where Colonel Butler arrived in a few days and desired him to go with him to the Village which he did.

The first business the Chiefs entered upon was an Enquiry about the Lease taken by Livingston and Benton, and desired to see all the papers, and have a particular account of what passed at Canadasaga at that time.

Mr. Phelps let the Indians see the Authority he had to treat with them having purchased from the State of Massachusetts all whatever Claim or pretensions they had for making Purchases from the Indians and his business was now to treat with the Six Nations for a sale of Land. Benton then told the Chiefs if they agreed to dispose of a part of their Country he would give up the Lease he had taken at Canadasaga, they Answered that they would consult among themselves, Colonel Butler then gave up the Lease which Powell Murphy & he had got the Indians to give by the Colonel's advice the Chiefs were consulting four or five days but could not agree in opinion the Seneca Chiefs desired to have Colonel Butler's advice about parting with their Land, he said they had not asked it before which he thought they should have done, or why did they send for him that it now appeared to him it would be best for them to part with some part of their Country as the Lease they had given to Livingston & Benton would not be delivered up if they refused it, and Phelps said he would join Livingston & Benton that it was better for them to have some part of the Country than to part with the whole, that he only gave his advice and the Chiefs might do as they pleased

The Chiefs frequently asked his advice, he said he was only a trader among them, that he wished they and the people of the United States might settle the business peaceably three or four days more passed in consultation when the Seneca Chiefs sent for him and told him they had been all night with Phelps, Benton, Gilbert & Lee, that they insisted on having the Country to the Genesee River two miles below the Canawagaras Village on that River and about miles from Lake Ontario then to cross the River two miles below Village a west course twelve miles keeping twelve mile distance from the River until it came to Lake Ontario, and that two miles below Canawagaras Village up the Genesee was to be the Line between Mr Phelps and the Six Nations that they had not informed the other Nations of it, as they intended first to speak to Colonel Butler and then inform the other Chiefs of it, and desired him to let Col Butler know they wished to see and consult him when the Seneca Chiefs informed Col. Butler of it he said he was glad they were like to agree with Phelps & Co., that they had been long about it, and he did not think they would have parted with so much of the Country the Chiefs said it was not in their power to settle the affair in any other way

The June the whole of the six Nations agreed to give Phelps & Benton a Lease of the Country according to the before mentioned bounds. Col Butler Captain Brant, & Mr Kirtland[2] were appointed by the chiefs to fix the price for the Country sold, Phelps was to pay Dollars at the first payment and Five hundred yearly Benton's first payment was to be Dollars and one thousand dollars every year, the Chiefs signed the Lease and Colonel Butler and Kirkland[2] signed as witnesses, as he was leaving the village Mr Street told him that Mr Phelps wanted to see him when Phelps & Benton asked him if he would have any of the Land they had purchased he informed Col Butler of this who told him he saw no impropriety in his having lands, from Phelps & Benton that he intended to get some for his relatives in New England if he could have them cheap, Capt. Powell Barton Murphy and himself then agreed to take lands from Mr Phelps and Mr Street & Barton said if it was left to them they would settle it with Mr Phelps, and Mr Street said some hard money would be wanting and asked Powell and him how much they had Powell said about three hundred pounds York Currency—Mr Street said that would do for their parts for the first payment, and that he and Barton would endeavour to hold fourteen shares in Phelps purchase as in a short time these lands must be very valuable—Powell and he gave the three hundred pounds being easily persuaded out of them

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Probably a clerical error for Phelps

[2] Samuel Kirkland the missionary

money, for which they have had no satisfaction and were as much deceived in parting with it, as the Indians were in parting with their Country

The 19th of September he received a letter from Col Butler informing him of the death of Mr Stevens, and that he had recommended him to Sir John Johnson as Interpreter to the Six Nations, and desired him to come to Niagara as soon as he could, which he did after being there a few days, he spoke to Col Hunter about those who had lands in Phelps & Benton's purchase, Col Hunter said he saw no impropriety in holding Lands in the states but advised him to make the most of them as soon as he could he then enquired of Mr. Street the quantity of land in a share as he was to have one Street said about twenty thousand Acres, he then said as he was in the service of Government he did not think it proper for him to hold these lands and wished Mr Street would sell them for him Mr Street answered that he & Col. Butler had more lands themselves than they could dispose of he then found out the only money that had been paid was his & Powell's £300—for which they have nothing to shew that they have any share or right to any part of the before mentioned Lands, or has he concerned himself about them since

The Senecas, Onondagas & Cayugas have lately given one Allen[1] a Township on the Genesee River for his Two Children he had by an Indian Woman, for which he was to give the Indians Sixty Bushels of Indian Corn annually the Deed was left with Col. Butler until Allen complied with his Agreement.

D.

Endorsed— 16 b

In Lord Dorchester's
to Mr Grenville No. 56.

(Q 46-2, pp 479-90.)

FROM RALPH CLENCH TO SIR JOHN JOHNSON

Nassau 28th August, 1790.

Sir

Permit me to offer for your perusal a few minutes I have taken since the purchase made by some Americans of part of the Six Nations Country being informed by Doctor Kerr that you are desirous of gaining every information you can relative thereto as an officer and Inhabitant of this District I think it a duty incumbent to make mention of every circumstance that has fallen within my knowledge

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[1] Ebenezer Allen.

1stly Some time in June or July 1788 I accidentally met with a Copy of a Letter from Samuel Street, Esqr (of Nassau) to the Principals of the Land Company acknowledging the receipt of their Letters by Major Scott Mr Shaw and Capt Bartell, thanking them for admitting him amongst the number of intended Proprietors, and as a Proprietor gives his advice, which was that it would be well worth while to take in with them as proprietors, some people of this settlement, such as he could point out and even to allow some of them a share gratis who from their influence with the Indians would be able to make the purchase with more ease, and not that only but would from being amongst them in time be able to prevail upon them to move over to those Lands granted them by Government at the Grand River by which means a purchase of the rest would be the more easily effected

This is as nearly the purport of the letter as I can recollect having a few days after I met with it sent it by Doctor Wright to Lieut Col. Hunter then our Commandant.

2ndly Augustus Jones (Acting Surveyor) was at Buffaloe Creek the time of the Treaty, who mentioned that he heard Col. Butler say that the Deal was now offered them (the Indians) if they did not feed themselves it was their own faults, that they before called upon him to witness their Bargains if they did now now determine he should not attend again, as they had so often made a fool of him, that he heard William Johnson (now Interpreter) tell Col. Butler that they should be cautious how they acted as he believed there were people there as Spies upon their Actions after they completed their Purchase Captain Powell told him the reason they gave so high a price for the Tract they had purchased was in order to get a settlement afterwards he was in expectation the remainder of the Country would fall at a lower price, and further mentioned that (Street) at different times wanted him to go out to survey the Lands they had purchased and that Col Butler afterwards asked him if Street had spoke to him about going out (who mentioned he had) and if he intended it or not, when he told him (Butler) that he did not who again made answer that it was nothing to him, only as a Negroe man of Mr Barton's was at his house, and he thought if he did go he might take him as a hand with him

3rdly Mr Sheehan, Acting Secretary and Nephew to Col. Butler mentioned (the time I cannot exactly remember) that Colonel Butler had a Pre-emption right from Phelps and Gorham who had purchased from Congress, with the Right of Preemption and that the Country adjoining to Niagara would be his (Butler's) as no other persons purchase would be valid

4thly Some time in June 1790 was informed by Timothy Murphy one of those people who had a share in the purchase, that Colonel Butler had a very large share.

5thly Was informed by Major Tice that some of Colonel Butler's relations in the United States held his (Butler's) obligation for a considerable sum of Money which he paid by Transferring part of these Lands purchased from the Six Nations

6thly Being at William Johnson's 16th August 1790 I mentioned the circumstances of finding the letter first mentioned who told me how him and Captain Powel came to be admitted as Proprietors was thro Street asking them what Sum of hard Money they had If any they had best put it in and take a share, accordingly they advanced £300 N York Currency at the same time mentioned that he was going from the place the Treaty was held to his Trading house and was followed by Samuel Street, who asked him If he did not wish to have a share of the Lands they had purchased he replied he could not give an answer until he had seen Colonel Butler which was soon after and he then mentioned to him Street's proposal, and his advice was by all means to take a share if he could get it cheap, as he meant to take a share for himself and friends in the United States.

Previous to this Mr Johnston told me that Mr Phelps gave him to understand that he would give him a share in case he would not endeavour to prevent the purchase taking place.

If any part of the above proves worthy your Notice, I can at any time if called upon with safety declare as to the Truth of my assertions and produce the people mentioned, who, I dare say must corroborate the same.

I am &c.

RALFE CLINCH

D

Sir John Johnson, Bart.

Navy Hall

Endorsed— 16c

In Lord Dorchester's to Mr Grenville
No. 56.

(Q 46-2, pp. 491-5)

FROM JOSEPH BRANT TO SIR JOHN JOHNSON

Nassau, 20th August, 1790

Sir

Having reason to suppose that Government wishes to get Information respecting the late purchase of the Six Nation Country and the proprietors as I am one of these people called the Six Nations wish to give you every Information in my power, as the proceedings were in my opinion not consistent with either Honor or Justice, from my knowledge of the weakness of numbers of us who think whatever our Agent recommends ought to be complied with—And as our Agent Col Butler and some half pay officers adherents of his interested in the purchase, inclined towards the American Commissioners at the Treaty where the purchase was made, as an Indian I am highly of opinion that if matters are fully explained, it will be made appear that those from whom the purchase was made were swayed by those White men in power in our Department. The Agent being the person placed over us by Government is the man we look up to for Advice when in critical situations, and I should think would lay private Interest aside, the Interests of Numbers, and those of the people for whom he receives his Salary are at the same time interested, however I am sorry to think it has not been the case.

Col Butler our Agent mentioned to me that Mr Phelps who is at the head of the Land jobbing Company had been at this place and he believed meant to deal fairly and was duly authorized to make the purchase, and told him that if his (Phelps's) Intention was really just, he had no doubt but that I could assist him—and at the Treaty frequently said that the Depth of Twenty or Thirty Miles would be as much as we would wish to reserve and if we did not now sell, that Phelps would go and join with Livingston & Co. by which we would lose our Country by force. I shall at any time if called upon be ready to explain matters fully [illegible]

I have the honor to be &c.

Jos. Brant

Sir

John Johnson Bart D.

Endorsed—16d

In Lord Dorchester's to
Mr Grenville, No. 56

(Q 46-2, pp. 496-7)

Complaint by Seneca Chiefs

Substance of a private complaint made yesterday by the Chiefs of the Seneca Nation and intended to be repeated by them in public Council this day

That some short time ago they (the Seneca Chiefs) gave a small Tract of Land to (Ebenezer) Allen in trust for his Children by a Woman of their Nation who lives with him, but on condition that he should not alienate the same, nor appropriate any part of it to any other purpose than for the maintenance of the said Children. That previous to their making this grant they consulted with Coll Butler on the propriety of it and asked his Advice, and that his opinion was, that he saw nothing improper in their giving him this mark of their favor as he had been a zealous and deserving subject of the King's and suffered in his property by the Indians.

That lately they made a visit to (Ebenezer) Allen on hearing that he was disposing of a great part of the Land, and that on their arrival they found that the report was not only true but that he was making farther encroachments on their Land and disposing of the same in Lotts.

That on their expostulating with him on this conduct his only answer was that he cared very little for their complaints, as Coll. Butler was equally interested with him in this Tract

The Chiefs further say that they asked advice from Mr. William Johnston and Timothy Murphy (both employed in the Indian Department) on this subject, and that their opinion coincided with Col. Butler's so far as to say that they (the Indians) had better give this Land to their own flesh and Blood than to the Americans

Mr Wm Johnston the Informant further adds that Allen came to Niagara some time after this conversation happen'd but previous to the Deed being signed and that he then agreed to give the Informant and Timothy Murphy one hundred Pounds each for their good offices with the Indians on his behalf and for the performance of which the said Allen gave the Informant & Murphy each a note of Hand for one hundred pounds which notes are now in their possession.

D

Endorsed—16 I

In Lord Dorchester's to
Mr Grenville No 56.

(Q 46-2, pp. 500-01.)

Statement by Augustus Jones

Nassau 30th August 1790.

Sir

Some time in the month of May 1788 being at Buffaloe Creek at a Council held with the Indians and Americans in order to make a purchase of part of their Country Mr William John-they came up to Lieut. Col. Butler and told him they must be on their guard what they did say, as there was a certain person then present who had come as a Spy and had no other Business but to hear and get what information he could. A short time after that the same evening Col. Butler said that this was the second or third time that the Indians had asked him to their Councils, in order to be a Witness to the sale of their Lands and that some of them were against it, and had still put it off but he had told them at that time that the Sewan and Cash were offered them and if they did not accept of it and feed themselves, that he would not attend any of their calls after that time—Some time in the Fall 1788 I met Col. Butler in the Lane near the Ferry house opposite Niagara when he asked me if I had been spoke to by Mr. Street to go upon a survey at or near the Genesee River. I told him that I had, but that I was in employ here by Mr. Frey and that I thought it would hurt my Interest by it he told me it was nothing to him only that Mr. Barton had left a Negroe with him, and desired him to send him along as a hand, and if I went he would be glad to know. a few days after this I saw Mr. Street who asked again whether I wanted to go on a survey for him, he said that they wanted me to go and begin at the Mouth of the Genesee River and take the course of it and lay it out in Townships beginning at the Mouth of said River—I told him as before (to Col. Butler) and he said that he had mentioned it to Lieut. Col. Hunter and he said that I might use my pleasure—This is nearly as I can recollect what passed

I am &c.

Augustus Jones.

Endorsed—[illegible]

In Lord Dorchester's to
Mr. Grenville No. 56

(Q 46-2, pp. 498-9.)

From John Butler to Sir John Johnson

Nassau, 30th August, 1790.

I have good reason to believe that much to my Prejudice has been reported to His Excellency Lord Dorchester but what it may be I have not as yet been able to learn. I must own I feel myself much hurt that anything of that nature surmised by his Lordship without giving me an opportunity of exculpating myself. Some time ago you wrote me and referred me to his Lordship who would answer my Letter but as yet have not had the Honor of receiving it

From some hints that have been given me I am inclined to believe that I have been blamed on account of the sales of the Six Nation Country to the Americans. I must beg leave by endeavour to disprove anything that may have been said on that subject, and am happy I can now call upon you as a Voucher for the greatest part of what I know of the transactions.

In July of the year 1784 at the Black rock the Governor of New York invited the Six Nation Indians (then in Council) to a Council at Fort Stanwix, in order, as he said to settle their matters to their mutual Interest.

The Chiefs of the different nations being met, sent for me, and advised with me on the propriety of attending the meeting proposed my advice to them was that I thought they should attend, in order to make peace with them, and thought it was their Interest to appoint such Chiefs as were thought most proper to settle their Matters, otherways, they might be imposed on by the Americans—I named five, who I thought the most Intelligent, as well as being most attached to our Interest, viz. *Captain Joseph Brant Captain Abel* the *Spruce carrier*, *Schehoar*, *Schenonada*, or through the river, *Ondago* the Fishcarrier *New Coraga*—The Indians appearing very uneasy they told me that the King their Father had ceded the whole of their Country to the Americans and had not named them. I told them that at this meeting they would be made acquainted if that was the case and whether the Americans would demand their Country—If the Americans should propose making a purchase of it it would convince the Indians that the right of soil was considered to belong to them (the Indians) and of course a right to sell or not as they thought proper. A few days after this meeting I left on my way to England. The whole of the above you was Acquainted with at the time. This is all I recollect relative to Lands that passed to my leaving this.

In May 1786, I returned from England to Quebec. Lieut Governor Hope then shewed me the proceedings of some Councils that had been held, and said that another was soon to take place, that the Indians had then sold great part of their Lands, and that the Americans was gaining over the Indians to their Interest, very fast and mentioned some things else to that purport which at present I do not recollect, after which I believe he sent for you to Quebec, but what passed between you and the Governor your recollection may not now assist you in.

Governor Hope informed me I was immediately to proceed to Niagara and that the Superintendant would give me the necessary orders, but on my arrival at Montreal you said you thought it unnecessary except I myself choosed it, I mentioned this to the Governor and received an answer thinking it was very necessary for me to go to Niagara, and that he should not think me neglectful, I shewed you his letter and said that I intended setting off next day. I arrived here in the month of August 1786, when I found a meeting had taken place at Canadasaga. I set off immediately for Buffaloe Creek, and overtook Captain Brant at Fort Erie, on his way to Detroit. I then made every enquiry to find out the purport of the meeting and was told that the Americans had called a Council, that they had sent some Chief Warriors to Cover up the Fire till another time, which they supposed was done. A few days after some Accounts were brought that their whole Country was sold to the Americans, by some of their young people without the consent of the Chiefs—This intelligence gave great uneasiness to the Indians at Buffaloe Creek &c. I endeavoured to make the Indians as easy as possible untill the Chief Warriors that they had sent to Cover up the Fire returned. For the space of fourteen days after my arrival I heard nothing of their return, when I was shewn some papers, signed by four or five proprietors that the Six Nation Indians had leased the whole of their Country to Mr Livingston and his Associates—for nine hundred and ninety nine years, paying an Annual Rent of one thousand Dollars—when some of the Indians returned they brought Mr Livingston and his Associates Note and Copy of the Lease, and some other papers which I then sent to you together with every information that came to my knowledge—I then advised them not to allow any surveys to be made nor any person to settle any part of their Country but to Acquaint the Governor of the Advantage that had been taken which I believe they did and received a letter and advertisement from the Governor advising them not to let the Lessees survey or settle but that every justice should be done them—Those papers I also sent you at the time. Mr Livingston had in this Lease included the Lands ceded to the Massachusetts state who had agreed with Messrs. Phillips & Gorham for the same. On Mr Phillips his Arrival at Canadasaga he found the Indians disputed the sale—after which with some more Gentlemen he came to Niagara—I waited on Lieut. Col. Hunter & told him their business—After a Consultation between him and I we were of opinion, by the Indians selling part of their Country to Messrs Phillips and Gorham it might be the means of getting the Lease Invalidated. We accordingly told them if their Intentions were fair they ought to call a Council at Buffaloe Creek and when the Indian Council fire was kindled in the presence of the whole six Nation Indians to make this Proposals & if agreed to, would be looked upon as binding from the Indians, but that any transactions at any of their present meetings with a few young men would never be esteemed fair or binding nor would they ever allow a settlement to take place in

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Phelps.

their country by any such clandestine purchase—This being told Mr. Phelps he called a Council at their fire. The Chiefs previous to the Council came to Col. Hunter and myself for our advice and desired we would attend their Intended Council. Colonel Hunter declined, but said I should attend. I then asked that two or three of the officers of the Garrison should accompany me and be present at the meeting to represent him. He agreed to this and then ordered Lieuts. Douglas & Vassall of the 65th Regt. to accompany me, who were present during the whole treaty at which time the Lease taken by Livingston was made void and a new one taken for that part of the Indian Country that lay within the state of New York, and that on condition they should obtain the Preemption right from the state, otherways to be void.

Mr. Phillips got a Deed for all the Lands East of the Genesee River as far as claimed by the Massachusetts state and that on West of said River was released to the six Nation Indians free of all claims or Pretentions whatever—After the Deeds were fully explained to the whole of the six Nations by Captain Brant several times and the Consideration money agreed upon, they signed the Deeds in presence of four officers and twenty or thirty other persons, and appeared to be fully satisfied except that they had forgot to reserve a Tract of land left to me by *Serahowane* a Seneka Chief who died during the time I was in England, but on its being mentioned to Mr. Phelps, he agreed to give me Twenty thousand Acres in lieu of it and if that was not sufficient, I might have another share paying proportion of the first cost, I then told him I wanted no more than would accomodate some friends I had in the state of Connecticut and desired him to give them Deeds for Twenty thousand Acres, which he promised to do, and has since granted them part with his obligation for the remainder at that time. He, the said Mr. Phelps then made an offer to a number of British subjects then there of becoming Proprietors, paying proportion of the first Cost, which was accepted of by Mr. Street and sundry other persons but nothing was agreed upon by me or any other Subject until Lieut. Colonel Hunter's opinion was asked who said he could see no Impropriety in it—but added that the sooner we got rid of it the better—The whole of the above was done after Mr. Phelps had obtained his Deeds—Thus Circumstantially have I narrated facts and given you an account of everything I know of all these transactions and had time permitted at present should have still given you more Corroborating evidence by the Affidavits of different people acquainted with every circumstance I have advanced and who can prove far from advising the Indians to dispose of their Lands was not made acquainted with the Sales for a day or two after it was made.

As you have promised to transmit this to his Lordship I could wish to anticipate every Charge that could be brought against me. Among other things which I have heard suggested since your arrival here, and what I understand has come to his Lordship's ears, I must beg leave to answer to, that an opinion or report that has got abroad of my intention of leaving this Country and alienating myself from the Interest of Government, at such an Idea I spurn with indignation and contradict any such assertion most flatly (who could harbour such a thought after a moments reflection?) From my youth to this time, my services have been employed, and I trust not unacceptably in the Interest of the British Government, a Government whose Mildness & benignity I have often experienced—at my advanced age, and to this settlement whose Interest and Welfare I have had much at heart little did I imagine that the shafts of Calumny should have been pointed at me, and misrepresented matters so egregiously to His Lordship—In the full assurance of the probity of my Intention, I remain &c,

JOHN BUTLER

To Sir John Johnson Superintendt & Inspector Genl of Indian Affairs.

Endorsed—16 g

In Lord Dorchesters
to Mr Grenville, No. 56.

(Q 46-2, pp. 502 511.)

Sir John Johnson visited Detroit and Mackinac and presided at three meetings of the Land Board for the District of Hesse. On his return to Lower Canada, he prepared the following report in which he contented himself with enclosing the statements he had obtained respecting the purchase of Indian lands, together with Colonel Butler's defence, and asserted that the Indians were never in better humor.

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

La Chine, 13 Septemr 1790.

My Lord,

Having had the honor to acquaint your Lordship of my departure from hence on the 25th of June, in obedience to your commands I now have the satisfaction to inform your Lordship of my return to this place after having visited the western posts as directed by your letter of instructions of the 17th of June and I have the honor to report to your Lordship that, led by inclination as well as by duty I lost no time in proceeding to the western settlements and posts and endeavouring there to forward the benevolent intentions of the King's Government by inquiring into and using my utmost exertions to remove all causes of dissatisfaction and uneasiness among the settlers as well as among the Indians, and I hope not without effect

I made every inquiry as directed by the first Article of your Lordship's letter of Instructions into the general conduct of the officers of the Indian Department at the posts of Niagara, Detroit, and Michilimackinac, and find though great complaints are made by the Indians dependent on the first mentioned post of the want of almost every necessary annually sent for their use, as well as of provisions the expenditure of which Article for the last eighteen months, far exceeds that of the other posts no specific charge alledged against the Deputy Agent or those Acting under his direction, yet I feel a concern to be under the necessity of adding that though Mr. Sheehan was put on the establishment of that Post, with a view to assist the Deputy Agent as a Clerk (though under a different denomination) no part of the established orders and Instructions have been complied with, but those relating to the quarterly returns for pay & incidental expenses, notwithstanding my repeated directions on those subjects, as well as forms sent from time to time, for their further guidance, I hope in future they will be more attentive, having explained every doubtfull matter in such a manner as I hope will prevent all mistakes for the time to come.

I am happy to have it in my power to say that I found great attention paid to every part of the Instructions and orders of the posts of Detroit and Michilimackinac, very regular Books of the Receipts and Issues being kept with the signature of the Commanding officers at the foot of every issue, notwithstanding which I am sorry to say that in other respects, Mr Gauthier's conduct has been represented to me by Captain Parr to be such as renders him unfit to be longer continued in his present employ

From the present situation of affairs in the neighbourhood of Detroit, and the Multiplicity of business, Mr McKee consequently has to transact I found it necessary for the good of the King's service to employ Captain Elliot who is well acquainted with the Shawanese & Delaware language to assist him in watching and procuring intelligence of the designs and proceedings of the Spaniards, and all others who may be treating with the Indians, and otherwise acting against the interest of Government, and I also found myself under the necessity of agreeing to his returning a storekeeper or Clerk on his quarterly return a person who he has hitherto employed, and paid out of his own purse this I hope will meet with your Lordship's approbation as nothing but a conviction of the necessity of it at this time, would have induced me to comply with his request.

I am happy to have it in my power to say that, in consequence of the means I took to discover the true temper and disposition of the Indians, as directed by the second Article of your Lordship's letter of Instructions, I found notwithstanding the complaints and uneasiness that they have been represented to have prevailed among the Indians, they never were better disposed, nor more gratefull for the many favours they have received, and I sincerely believe if this Country should be so unfortunate as to stand in need of their aid, they would most cheerfully afford us every assistance in their power. The Reports of Hostile designs against the Posts of Oswego and Niagara, I have every reason to think were nothing more than the rambling of an ignorant interested Dutch trader, who I have long had a personal knowledge of and am sure he would be among the last to be trusted with a secret design of importance.

I made every inquiry into the supposed irregularities said to have been committed by the Indians near Detroit, by assembling all the Inhabitants interested at the mouth of the river or Huron Village, where I had assembled the Indians for that and other purposes and found that as in other Districts some Cattle and Hogs had from time to time been destroyed through hunger and drunkenness, part of which they had promised to pay for, and some of their effects were brought in with themselves in my presence and retained until they should perform their promise. The inhabitants declared to me in the presence of a number of Gentlemen that they were not under the least apprehension of anything further than the loss of some of their Stock now and then when hunger and liquor impelled them to it—the inclosed copy of a conference with the Indians on the subject will shew your Lordship their own sentiments and resolutions on the occasion.

I lost no time in commencing the necessary Inquiry pointed out by the third Article of your Lordship's letter of Instructions and beg leave to refer your Lordship for the result thereof to the inclosed papers of information Number one to five and to Lieut. Col. Butler's letter on the same subject of which I gave him full information.

From all the information I was able to collect, I cannot find that the settlements forming by the American States in the Six Nation Country and which have reached the Genesee River the Western boundary of their purchase, increased in the rapid manner that was at first imagined they would nor do their numbers exceed what was at first reported one thousand families—their intention is to raise stock and Corn for the lower markets, or for the West Indies. Should any rupture happen between Great Britain and the States, they will be able to afford both men and provous for an attack on the post or settlement of Niagara, at the distance of about Ninety miles, either by land or water

Not hearing of any ill founded Claims in the lower districts and the Land Board of Hesse having received instructions to make the inquiries directed by the fourth Article of your Lordship's letter of Instructions to me of the 17th June and they having proceeded in the business I must beg leave to refer your Lordship to their report

From the disposition of the Indians I have reason to think they will not be led into any partial projects that might prove injurious to the public peace and tranquility, or in any wise injure the prosperity of the settlements

In obedience to the fifth Article of your Lordship's Instructions I offered my aid to the different land Boards in the Western Districts, and was happy to find that those of Luneburg and Mecklenburg had nothing that required any assistance on my part nor Could I learn that they had met with any Impediments that required the interposition of Government—some difficulties and disputes of a trifling nature subsisted in the other districts which I endeavoured to assist in removing, and hope not without effect.

I believe little remains to ease the minds of the settlers who have obtained locations under the Authority of the Boards or otherwise but the Issuing of their Grants or Deeds, which they all look for with impatience.

The sixth Article being accomplished by the Purchase made by Mr. McKee, the Deed of which I found on my return to Montreal with the letter from Mr. McKee now inclosed herewith, rendered anything further on that head unnecessary except an inquiry into the Boundary of the reserve made by the Indians of the Tract before granted to the Crown and which the land Board of Hesse have reported their opinion upon to your Lordship—the copy of the proceedings of the meeting I had with the Indians on that subject will fully explain their sentiments on that head

I mentioned to Mr Powell[1] my intention of making the inquiry and expressed a wish that the person might be present who informed him that the Chief Agouchaway had declared that he never mentioned or agreed to the reserve specified in the Deed of Sale, but had been led drunk and sick with sower Red wine to the place to mark the Boundaries that are now to be seen and are expressed in the Deed and though I think Mr Powell told me the man should attend and I was afterwards informed that Mr Powell meant to attend also neither appeared though my stay at the Village was longer than I at first imagined it would be—before I left the Village Mr McNiff[2] delivered me the Boundaries of the reserve, which I had directed him to ascertain agreeable to your Lordship's directions.

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[1] Justice W D Powell.

[2] Patrick McNiff deputy surveyor

Since my return to Montreal I received a letter from Mr. Motz of the 5th of July with further instructions relative to the purchase of those lands.

On my arrival at Detroit the land Board acquainted me that they had entered upon the Inquiries directed by the seventh Article of my instructions and would prepare a full report against my return from Mackinac but on making further inquiry on my return I was told that they had forgot that they had transmitted the report to Head Quarters before my arrival, this made any
Justice W. D. Powell *Patrick McNiff deputy surveyor
further inquiry on my part into the subject unnecessary

In obedience to the eighth Article of my Instructions I have left such directions and forms for the guidance of the officers of the Indian Department at the several posts as I hope will prove usefull and prevent any errors in future

The want of a regular and full survey of the Crown Lands has hitherto I apprehend greatly retarded the settlement of the Country, too few surveyors have been employed, and some of them ill qualified for the business, particularly in the Upper Districts, by which means many Inhabitants, who came in, have been obliged either to abandon the Country, after having expended the little property they brought with them, or to settle on the lands of other claiming under doubtfull Titles at best, and great [illegible] prevented from [illegible] and prepared themselves for it—Nothing but a failure in their expectations of a well established form of Government and the imposition of heavy Taxes, together with great encouragement on the part of our Government could now in my opinion, recall even those who were at first, from principle led to take refuge under the King's Government an immediate complete survey of the lands lately purchased with the encouragement of one or two years allowance of provision till they could repay it might prove an inducement to some to return, and to others to come in.

The want of proper Surveys throughout the District have retarded the progress of settlement and will be the cause of much future litigation which might in a great measure be yet remedied by employing well qualified surveyors to complete the surveys of all the Townships agreeable to the King's Instructions.

An addition of some Members to the land Boards of Hesse and Nassau would prove beneficial and give great satisfaction as the Inhabitants from some cause or other entertain great jealousy of the prevailing majority in those Boards I would beg leave to suggest the propriety of adding the Engineer and the Surveyor of the Districts, if such be, and two or three principal inhabitants, Mr McComb and Mr Leith of Detroit might perhaps be proper persons for Hesse and Major Tice, Mr Birch Mr Warren Doctor Kerr and Mr John McNabb for Nassau—time will not permit me to add more at present.

I am &c.

John Johnson

His Excellency
The Right Honble
Lord Dorchester

(Q 46-2 pp. 458-69.)

Lord Dorchester's subsequent letter to Mr Grenville in which he forwarded all these papers indicates that he was far from being satisfied with the management of Indian affairs although disposed to excuse the Superintendent General from particular responsibility for the misconduct of some of his subordinate officers.

From Lord Dorchester to W. W. Grenville

No. 56 Quebec, 17th October 1790.

Sir

On my first Acquaintance with the Indian Department in seventy five I could not but observe a certain assumed official independence, and much mystery throwing the expenditure and other transactions into the dark more than the King's service appeared to require. As the three or four officers, who managed this department, did little more than pass through the province, it was thereby broken up, and an Interpreter only, now Lieutenant Colonel Butler, assisted the Officer Commanding the Troops at Niagara; his good conduct on that occasion brought him into notice, and occasioned his preferment. None of those Gentlemen returned to Canada till seventy seven, and even then, if I remember right, only Lieutenant Claus; so that while in Canada, I had not experience sufficient of their proceedings to alter my first opinion of their system; but the public rumours of great abuses reached me at home, and the transactions at Niagara and Michilimackinac were too notorious to leave a doubt with me of the necessity of reducing their expenditure of cash, and what is not less essential their expenditure of stores and Indian presents under the checks necessary for preventing all ill grounded suspicions and complaints, or at least of bringing their irregularities into public notice. For this purpose all their expenditures are to be examined by a Board of Accounts, where the Comptroller objects to whatever is not duly authorized and vouched agreeable to the Instructions, recommending all equitable allowances.

Hitherto these Instructions have not had their full effect; whether from the gentlemen's not being Masters of regular Accounts, or from the difficulty of changing old habits, 'tis certain, that from those two posts more particularly the Accounts have not received approbation.

Sir John Johnson seems to apprehend that in this business something personal is glanced at him, seeing that the enormous abuses committed before his appointment passed without such observations. I suppose he alludes more particularly to a bill drawn from Niagara in April 1781 for Thirty five thousand seven hundred and eighty pounds, of which, upon ample proof, that goods to that Amount had not been expended, a sum of fifteen thousand seventeen pounds, both New York Currency, was by the Court of Common Pleas in April 1782 decreed to be refunded, which sentence having been confirmed in the Provincial Court of Appeals, the cause was by a further appeal carried home, and there seems to rest.

I am persuaded no one means more honestly than Sir John Johnson; he originally declined the Office, as very disagreeable to him, and was induced to accept of it from necessity, after he was driven from all his estates—He sensibly feels and suffers from any failure of those under his command, and I think the present instances, a schedule of which is subjoined, are sufficient to show the great difficulty of reducing the Indian Department to method and a proper controul.

I am &c.

DORCHESTER.

The Right Honble

W. W. Grenville

(Q 46-2 pp. 387-90.)

Like Colonel Butler, Joseph Brant desired to encourage the emigration of the remainder of the Six Nations from the United States into the British territory. The advance of a considerable military force in the direction of Detroit from the Ohio river had so seriously alarmed the western confederacy of Indians that they sent messages soliciting the assistance of the Six Nations, which gave them great embarrassment in their exposed situation.

From Joseph Brant to Sir John Johnson

Nassau 8th November 1790.

Sir

The death of my friend Captain David I dare say you have ere this heard of he has left a Wife and young family for the support of which I hope Government will consider the Services of the Father, and be pleased to make the Widow some small allowance, for her Children's maintenance, be assured many less deserving has been provided for by Government—I therefore as a friend and Brother to the deceased request your Interest in behalf of procuring something if Ever so little it will always be found beneficial in a large family and will be ever gratefully acknowledged

I cannot think of finishing my Letter without touching a little on Politics as I have ever spoken freely on matters in which the public was any ways interested and have ever disapproved of its being recommended to the Six Nations to remain on the Lands they are now on and not to Cross to this side of the River in order to settle, the Evil of which may at present not appear but be assured that time will point out the Error their being settled on Government lands was surely strengthening the British interest in this part of the Country—The Americans in order to Engage them have had tracts Surveyed on purpose for them to settle amongst them, which is in my opinion lessening the Safeguard that Niagara has always had, if they had been settled on the Lands allotted us by Government their Settlement might have ever rested in Security having been fenced and Guarded these things perhaps may never strike you in the same light with me, but whether or no, I have only taken the Liberty to give you this little of my opinion on the subject.

From my disagreeable Situation at present when I know the Enemy are in the Country of our Allies, would wish to have your opinion and advice by the Earliest opportunity as I expect we will receive a Message from that Country and your advice I could wish for before I take any active part

I am &c

Sir John Johnson
Bart.

Jos. Brant
D.

Endorsed—13

In Lord Dorchester's to
Lord Grenville No 79
of the 23d Jany. 1791

(Q 90-1 pp 58-60.)

The Land Board continued its meetings for granting certificates for the occupation of lands assigned to settlers in the three townships, which had been completely surveyed, but had not yet received official names.

Proceedings of Land Board

"Land Board 22nd November 1790.

Township No. 1—

The Board having met, ordered a report of their proceedings to be transmitted to the office of the Governor's Secretary with a schedule of locations in Township No. 1 for his Lordship's information, after which they proceeded to grant certificates to such persons as attended for that purpose. Referred to his Lordship two Petitions, viz. one from John McNabb, Esquire stating his services during the late war and praying an equal quantity of land as has been granted to disbanded subalterns. One from Augustus Jones, stating that he has acted as Deputy Surveyor in this District since 28th November 1789, for which he has not received any compensation also soliciting the appointment of Deputy Surveyor. The Board taking the said petitions into consideration concurred in recommending the prayer of the petitioners to his Lordship as being in their opinion proper."

The request of the chiefs of the Mohawks for the survey of the boundaries of their reserve at length received attention.

Proceedings of Land Board

"Land Board 20th December 1790.

"Present Lieutenant Colonel Butler Robert Hamilton, Esquire, Peter Ten Broeck Esquire

"The Board having met, were of opinion that it is necessary for the Acting Surveyor to ascertain and report the boundaries of the Indian Lands extending Six Miles on each side of the Grand River and as this cannot be so easily effected as at this season, the Board submit the expediency of this service to Lieutenant Colonel Gordon for his approbation, and in case this service is directed provision for the Surveyor and four Chain Bearers will be requisite from the King's Stores as is directed and has always been done.

N.B. It had been customary for the Surveyor to receive a ration of provision.

Proceedings of Land Board

"Land Board held at the Landing for Township No. 2, on the 3rd January 1791

Present Lieutenant Colonel Butler, Peter Ten Broeck, Esquire, Robert Hamilton, Esquire

Read a letter from Lieutenant Colonel Gordon signifying his approbation of the service for surveying the Grand River. The Board in consequence ordered the Acting Surveyor to proceed on that business and ordered a speech to be prepared explaining to the Indians the intention of the said survey

"The Board then proceeded to grant certificates to such persons as attended.

"Adjourned to the 16th instant."

Proceedings of Land Board

"Landing, 16th January 1791

"Present Lt. Col. Butler, R. Hamilton, Esquire, P. Ten Broeck, Esquire.

"The Board continued to grant certificates to such persons as attended

"Adjourned to meet in the Third Township

"Land Board Township No. 3, 19th January 1791

"Present Lieutenant Colonel Butler, Peter Ten Broeck, Esquire, Robert Hamilton, Esquire

"Finding few disputes in this Township the Board proceeded in granting certificates

"N.B. No Glebe reserved in this Township."

As the statements of prisoners taken by the Indians intimated that the force then advancing against them was intended, if successful, to attack Detroit in the spring, Major John Smith, who commanded there, and his superior, Lieut. Colonel Gordon, who had relieved Lieut. Colonel Harris at Niagara, requested definite instructions how to act in such event. Lord Dorchester was thus obliged to repeat his former orders in a slightly different form

FROM LORD DORCHESTER TO COLONEL GORDON AND MAJOR SMITH

Quebec, 20th January 1791

Sir

The hostilities between the United States, and the western Indians are much to be lamented—Could I be instrumental in putting an end to these calamities it would give me great satisfaction.

We are at peace with the United States and wish to remain so. There is no power in this Country to begin a War

But should the assertions ascribed to some of the prisoners, lately taken by the Indians, that the States mean to attack the Post of Detroit in the Spring prove true, I can only repeat that such a step must be considered as a commencement of hostilities on their part—And War must be repelled by War The King's benevolence and friendship towards the Indians is undoubted it continues to be manifested by His bounty every year

All these principles have been fully made known to the Commandants of the Upper Posts, and to the Officers of the Indian Department soon after my arrival in this Country they have since been inculcated repeatedly good sense must direct the application of them to the occurrences of the day but they cannot be departed from unless a different system should be enjoined from home, in consequence of the late events in the Indian Country in which case the necessary orders will of course be issued.

I am inclined to give the United States credit for too much good sense to begin a War with Great Britain but notwithstanding this, I cannot but repeat, that common prudence requires a constant vigilance and readiness on our part to meet such an event, however improbable.

I am &c.

Lieut Col. Gordon
&
Major Smith

DORCHESTER
D

Endorsed—15
In Lord Dorchester's to
Mr Grenville No. 79
of the 23d Jany 1791

(Q 50-1 pp. 66-7)

The difficulty that would have attended an attempt to conform with the winding course of the Grand River in settling the boundaries of the Indian reserve, was fortunately obviated by an agreement between the Land board and the principal chiefs of the Mohawks.

PROCEEDINGS OF LAND BOARD

Land Board Niagara, 1st February 1791

Present Lieutenant Colonel Butler Peter Ten Broeck Esquire, Robert Hamilton, Esquire.

(See Letter received No. 7)

When a plan of the Grand River was laid before them and having called in Captain Joseph Brant, Tekarehoken Shasowenna, Atewenaockten Oghsadongoghton Oghguarioseta, Ojageghte, Gonghsaneyonte, Kayendaderhon Chichelea and several of the Principal Chiefs to aid the Land Board with their advice and Council it was unanimously agreed upon and determined That the bend of the river easterly nearly two miles from its mouth or issue into Lake Erie and the Mohawk Village shall be the two fixed points and that a line drawn straight from one of these points to the other shall form the center line of the Indian Settlements or Lands on the Grand River and that two parallel lines to this, six miles distant on each side of the river shall form the bounds between them and the Settlement of Nassau

Jos Brant
Ojageghte.
Gonghsaneyonte
Atewenaokte
Oghsera
Kayendaderhon.
Signed on the Plan
J Butler
Peter Ten Broeck
R Hamilton.

FROM JOHN COLLINS TO AUGUSTUS JONES

Surveyor General's Office
Quebec, 22nd February 1791

Sir

I congratulate you on your appointment in our Department and herewith send you instructions for the business to be done in your District the ensuing season, and to enable you to carry the same into execution, I enclose you Mr Todd's Bill on Messrs. Hamilton & Cartwright for fifty pounds currency I long since wrote to Mr Frey for a plan of your district on a scale of forty chains to an inch with the proprietor's name wrote on their several lots and I am now to request the same of you to be sent down as soon as possible. I wish you health and am &c.

JOHN COLLINS, *D.S.G*

Augustus Jones, Esquire.

Surveyor General's Office

Quebec 22d February 1791

Sir

You are hereby directed to engage six chain bearers and axe men on the most reasonable terms they can be had not exceeding one shilling and sixpence currency per day each man, with an allowance of one shilling and threepence per day to yourself and party for provisions, or a ration of provisions from the King's store in lieu thereof at your and their option.

And immediately proceed with all diligence to survey and mark a town plot for a county town of the district to be called Lenox on the west side of Niagara River at such place and according to such plan and dimensions as the Land Board of the said District may direct in conformity to the general Rules and Regulations.

And likewise to survey and mark the front lines of a row of townships from the Eastern Boundary of the District at Toronto and to carry the side lines of each township back one mile well marked, which townships are to be designated on the charts, the first adjoining the said Eastern Boundary by the name of Murray and the rest as they follow in proceeding Westerly in the order here mentioned Viz Cramahe, Haldimand Hamilton Hope Clarke, Bristol Norwich, Edinburgh, Glasgow and Dublin

You are to commence and proceed in the execution of this work with all diligence, accuracy and fidelity in conformity to the general Rules and Regulations in all instances not otherwise specially directed

You are to keep Journals and field books, inserting therein whatever is observable for its singularity and value towards public utility as waterfalls, minerals, quarries, the quality of the land timber &c &c., and likewise accounting for the time spent upon such service with such minuteness and certainty as will shew the work of each day and enable you to answer questions upon oath in respect thereto if the same shall be required reporting all such journals and field books under your signature to this office after the completion of the work together with the instructions thereof both to me and the Land Board of the District in which you have been employed

You are to pay a very strict attention to economy in the whole service and dismiss the hands as soon as they can be spared, And as the accounts will all be subject to audit you'll take care to furnish the necessary documents in justification of every article of charge—observing nevertheless that it is not intended by any small savings to disappoint the useful ends for which these surveys are ordered, but that a responsible discretion is exercised in the expenditure, both of the time and the means.

You are to do no work in the nature of the subdivision of townships into lots except to such number and extents as the Land Board of the District shall from time to time in writing direct.

You are to communicate these instructions to the Land Board of Nassau and a copy thereof is to accompany the accounts hereafter to be rendered to obtain payment for the services you shall have performed.

Wishing you Health I am, &c.

SAML. HOLLAND, SOR. GENL.
JOHN COLLINS, D.S.G.
MR. AUGUSTUS JONES, D.P.S.

(District of Nassau Letter Book No. 5 pp. 35-8.)

PROCEEDINGS OF LAND BOARD

"Land Board held at Niagara, 22nd February 1791.

Present: Lt. Col. Gordon Comm'g Upper Posts, Lt. Col. Butler, R. Hamilton, Esquire.

Received a petition from Peter Clow praying the Board to authorize an agreement made with John Lutes for the purchase of his farm, Lot No. 34 in the 2nd Township, also a petition from Joseph Robinson praying for leave to purchase from Thomas Martin Lot No.   in the 2nd Township. The Board being convinced of the propriety of these transfers, authorized them accordingly.

"As no lands have hitherto been granted to the heirs or executors of those persons who died in his Majesty's service during the late war, it remained a question whether it is the intention of government to extend his Majesty's bounty to persons of the above description. The justice of these claims are so apparent that the Board concurred in granting these lands and to request his Lordship's approbation of this measure.

"The Board authorised Lt. Col. Butler to purchase from Robert Smith his farm on the 15 Mile Creek with all the lands himself and family may be entitled to.

Adjourned."

Captain John Powell, who is mentioned in the following letter, had been an officer in the Indian department and had been assigned two thousand acres, distributed in farm lots in various parts of the township of Bertie then known as the township of Fort Erie. Two of these lots fronted on the Niagara river nearly opposite the south end of Grand Island where he had built a house.

From Joseph Brant to Sir John Johnson

Extract of a letter from Captain Brant dated Grand River 4th March, 1791

"I am informed that Capt. Powel has been tampering with a set of Senecas, in order to bring some of the Americans on the opposite side of the River from his House to build Mills on Skenendoghquade's Creek which will not be effected without opposition, as I think half pay officers as well as those in the Service ought rather to prevent than introduce the Yankees under the nose of a British Settlement."

D

Sir John Johnson, Bart.

Endorsed—14

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June 1791

Samuel Street, who had returned from a prolonged visit to the United States, gave his version of his connection with Phelps in the purchase of Indian lands.

From Samuel Street to Sir John Johnson

Extract of a Letter from Mr Samuel Street dated Grand River 4th March, 1791

"As Agent for the following persons in this Settlement, viz. John Powell William Johnston, Timothy Murphy W Butler Sheehan and Stone & Butler and some relations of mine in the States I purchased fifteen shares, or fifteen one hundred & twentieth parts of the Genesee purchase from Mr Phelps at the time he treated with the Indians at Buffaloe Creek for the Lands in July 1788. Sheehan & Murphy were included without their knowledge in order to assist them in extricating themselves from some heavy Debts with which they were Burthened as were several others who were rejected. Colo Butler had two like shares allowed him, said to be in consequence of some Lands promised him by *Thaoquanda* which lay within the purchase, one of which he gave to the Compy and the other to his Brothers Children in New England. My intentions were and still are to sell off as soon as possible which I supposed might be done to much better Account than has yet appeared, for which purpose I authorized a Mr Barton to manage the Business, who not succeeding to my Expectation has obliged me to take more of the Management on my own hands than I intended

"The unsettled state of my Affairs here prevented me from going into Business again till I have Collected and Discharged my Debts, therefore I proposed attending to that Business this Summer in hopes of bringing it to a period Many have been the reports which have circulated to my disadvantage no doubt, and I have found no friend Candid enough to tell me particularly what they are, to give me an opportunity of clearing them up."

D

Sir John Johnson,
Bart.

Endorsed—(8

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1 pp 128 9)

Acting on instructions from the Governor Sir John Johnson had made a proposal for the surrender of a portion of the Indian lands at the mouth of the Grand River for the purpose of forming a continuous settlement along the shore of Lake Erie Assent to this was given so reluctantly that the project was dropped.

FROM JOSEPH BRANT TO SIR JOHN JOHNSON

Extract of a letter from Capt Brant dated Grand River 24th March 1791

About the Lands at the Mouth of the Grand River you seem much to wish that we should spare you at least Six Miles up the River in order to have your new Settlement to be in one String along the Lake up, the Sentiment of the Indians here on this head seems to be thought is rather hard that they should give it back after its given to them However they have agreed to give it up five Miles & a half up the River because Six Miles, it would take in a Seneca settlement who we could not think to remove them as they are fond of their Place and half a mile cannot make any odds with you

"The Deed or Grant for the Lands here which you are going to give us, we hope you will make the Deed or Grant near the same sort which General Haldimand first promised to us, we hope the

Council would not restrict us too much otherways we shall look upon it not much better than a Yankee deed or grant to their Indian friends.

D.

Endorsed—23

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791

(Q 50-1 pp. 154-5)

Proceedings of Land Board

"Land Board Niagara, 4th April 1791

"Present Lt. Col. Gordon Comm'g Upper Posts Lt. Col Butler R Hamilton, Esquire.

"The Acting Surveyor laid before the Board a survey of the Indian Lands on the Grand River from its mouth to about thirty Miles above the Mohawk Village, he also laid before the Board two accounts of incidental expences incurred in the survey of the Grand River and in ascertaining where a North West line from the mouth of the Little Lake at the head of Lake Ontario would intersect the Grand River the Board taking these accounts into consideration approved the same, and resolved to draw a bill on Government for the amount at their next meeting Adjourned to the 3d Township.

Dr James Muirhead, who is mentioned below married Deborah a daughter of Lieut. Colonel John Butler He served in the war of 1812 as surgeon to the flank companies on active service, and was promoted to be Surgeon General of Militia in 1822 He was chairman of Quarter Sessions for the District of Niagara for many years and died at Niagara, 24 March 1834, aged sixty-nine He is buried in Butler's family graveyard

Proceedings of Land Board

"Land Board held in Township No. 3 7th April 1791
"The Board proceeded to Grant Certificates to Such Persons as attended

"Received a Petition from James Muirhead late Surgeon's mate in the 60th Regt stating his service as mate and inclination of becoming a settler and praying such additional quantity to the usual allowance of lands as the Board should think proper The Board taking the said petition into consideration, agreed to grant a Subaltern's allowance, viz., two thousand acres. Adjourned to the 11th instant.

The council described in the following report was called to debate on the mission of Colonel Thomas Proctor, who had been sent overland from Philadelphia by President Washington, to invite the western Indians to attend a meeting at Fort Washington (now Cincinnati.) The French gentleman, who accompanied him, was Captain H. G. Houdin. Horatio Jones acted as their interpreter and his account of these proceedings is printed in Volume VI, of the Publications of the Buffalo Historical Society, pp. 488-92

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara, 14th April, 1791

In consequence of a Message with a Belt from the Chiefs of Buffaloe Creek requesting myself and the other persons of the Indian Department to attend at a Council to be held at that place, stating that some persons in authority from the United States was to be there, and that they wished me to hear what he had to say. The Commanding Officer thinking it proper for me to comply with their request, I left this place on the 14th Inst. and proceeded to Fort Erie, the 15th I dispatched Mr Johnston, Interpreter across the River to Buffaloe Creek, to know if the Chiefs were prepared for the Council, but finding they were not ready I did not think it requisite to cross the River until they could Assemble, I remained at Fort Erie the 16th. The 17th I went to Buffaloe Creek Accompanied by Captain Borrough, Commanding Fort Erie, when a few of the chiefs met me and told me that they could not be ready in less than two days as their people were a great deal scattered

On the 19th we met in Council when I addressed them as follows

Brothers

Agreeable to Your request I am now come to meet You and am ready to attend to what you have to say. I now return You the Belt of invitation

The Farmers Brother the principal Seneca Chief Speaker

Brothers

We return Lieut. Colonel Gordon and Yourself our sincere thanks for Your readiness in complying with our request and your attendance at this place. We are also happy that Capt. Brant was at Niagara when you received our Message and you took him by the hand and brought him with you

The usual ceremony of condolence was then performed.

Brothers

At the time when we sent you a Message requesting you to meet us in this Council we received word from O'Bale that a great man from the Governor of New York accompanied by a French Gentleman would be here in the space of three days time upon business of importance with us, and as we wished to do no Business without the knowledge of the King our Father we sent for you to be present in order to hear what they might have to say we are sorry for the disappointment as they are not come agreeable to the word we received

Colonel Butler then asked them if they had any knowledge of the business that this great man was coming upon? To which the speaker replied they had heard a little about it

They understood that part of his business was to inform them that the Americans and the Western Nations are now at War and that he wished to consult with the Six Nations on this Affair and to take them by the hand, and hoped they would accompany him to the westward in order to make a peace with those Indians and the United States

Lieut. Colonel Butler informed them that it was not in his power to wait the arrival of this American the time of which appeared uncertain but hoped when he did arrive and the chiefs knew the business he was come upon that they would without loss of time dispatch two or three of their principal chiefs to inform him of it, to which they immediately assented.

The Cow Killer a principal Seneca chief then produced the annexed Speeches from Timothy Pickering Commissioner in behalf of the United States which they received last fall at Tioga and requested they might be publicly read

Captain Brant then addressed them as follows.

Brothers,

As we the Six Nations have received many Invitations from our Brethren to the Westward the Chiefs of the Grand River give their Advice and opinion that it is necessary for some of us to go to see them as Visitors and to know what they are about I recommend this matter to you, and propose going myself as one.

Farmers Brother speaker

Brother

As the day is far spent and we have something further to say we propose deferring it all to morrow morning when we will meet you again in Council.

20th. The Council having met the Fish Carrier spoke as follows, addressing himself to Captain Brant
Brothers

We highly approve of your advice respecting a visit to our Western Brethren I speak in behalf of three Nations viz the Cayugas, Tuscaroras and Toddoghronies.

The Chiefs of the Senecas and Onandagoes then approved of Capt. Brant's Proposal in the same manner

They then appointed the Grandson of the late Syongaraghta in the place of that Chief after which the Council broke up.

(Q 50-1 pp. 167-71)

On the approach of spring Lord Dorchester considered it necessary to warn both Colonel Gordon and Sir John Johnson to be prepared to meet and repel an attack.

From Lord Dorchester to Colonel Gordon

Quebec, 14th April, 1791

Sir

Notwithstanding some late pacific appearance it is not improbable that armed parties may again make their appearance in the Indian Country and perhaps in the vicinity of some of the King's posts.

Common prudence therefore requires we should be on our guard and prepared to meet all events

'Tis not enough that the posts under your command be in a thorough state of defence, you must be prepared to march forward should the turn of affairs render this absolutely necessary To carry his operation into effect with proper importance a part of the Garrison of each of the Posts of Niagara and Detroit with a considerable draft from the Militia and some field pieces should be in readiness to move upon a short notice.

Frequently called the Old King of the Senecas.

You will be pleased to inform me with what force you think you may march forward from Niagara, and with what force from Detroit, should it be so ordered, and what you may still want for this purpose.

The Gunboats and King's Vessels should likewise be ready for service at a short notice.

I am &ca

DORCHESTER.

Colonel Gordon.

D.

Endorsed—25

In Lord Dorchester's to
Lord Grenville No 84,
of the 14 June, 1791

(Q 50-1 pp 158-9)

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec, 14th April 1791

Sir

Notwithstanding the late pacific appearance it is fit that we should not Sleep while our Neighbours are in Arms.

The inclosed copy of my orders to the Commanding Officer of the Upper Posts will shew you my opinion of what ought to be done in the Upper Country

I wish you to assist Colonel Gordon with your sentiments and observations on this business

I am &ca

DORCHESTER.

Sir John Johnson
Bart

D

Endorsed—26

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June 1791

(Q 50-1 p 160.)

These instructions were supplemented by letter to Gordon from the Military Secretary directing him to discourage the immigration of the Six Nations and prevent the settlement of white people on the right bank of the Niagara.

From Francis Le Maistre to Colonel Gordon

Quebec, 14th April 1791

Sir

Your letter of the 28th February last covering among other papers, substance of the speech delivered by the deputation of the Tuscarora Indians, with your reply thereto, has been placed before Lord Dorchester and it is in obedience to His Lordship's commands I informed you that whatever influence may have been used to tempt those people to dispose of their lands, or encouragements held out to them to remove from their own Country to Grand River, was done without the knowledge or approbation of Government

Such conduct excites and still keeps up a suspicion the Indians have been unfairly treated and that some who should have opposed those practices turned their influence another way and were busy in bringing that poor people to consent to their own detriment and this for interested reasons.

The whole of this transaction having been transmitted home His Lordship cannot proceed therein, till he knows in what light it has been seen by the King's Ministers

His Excellency approves much of the reply you made them and it is His wish they should upon all occasions be treated with every mark of friendship and benevolent attention.

I have the honor to be &c.

Fras Le Maistre

M S

D

Colonel Gordon
Commanding the
Upper Posts at Niagara

Endorsed—13

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June 1791

(Q 50-1 pp 121-2)

From Francis Le Maistre to Colonel Gordon

Quebec 14th April 1791

Sir

The Copy of Mr Warren's letter transmitted in yours of the 28th February addressed to Mr Mois, relative to a projected

settlement by the states near Fort Erie, has been laid before Lord Dorchester

His Lordship commands me to say he cannot admit of any settlements, whose vicinity to the King's Forts, would render their defence of less moment. These as well as all such, are therefore upon every occasion to be discountenanced and prevented but with civility and good humour

I inclose by His Lordship's orders copy of His letter to the Commanding Officer at St. Johns

The steps you have already taken in this matter meet his Lordship's approbation. But however inclined the Indians may be to grant the lands in question it cannot be suffered to take effect.

I am &c.

Fras. Le Maistre.

Colonel Gordon M S

Endorsed—12

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June 1791

(Q 59-1 p. 120)

The approach of Colonel Proctor's party which had been announced by Indian messengers, and the request from the Indians for advice on the subject of its mission, created a difficult situation which was accentuated by later events

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Extract of a Letter from Lieut. Colo Butler Deputy Agent of Indian Affairs—dated Niagara 24th April, 1791

"About the 1st Instant I received Intelligence by two Indians from Buffaloe Creek that a Party of Chippewas from Cavahago river on Lake Erie had killed two Americans at Casawago on the Venango river about Fifty Miles from Presque Isle and had sent Messages to the Six Nations which alarms them a good deal as the Chippewas are still about Presque Isle and say they are very Angry with the Six Nations for their Deceit.

"On the 10th Instant I received a Belt of Invitation from the Chiefs at Buffaloe Creek requesting Colonel Gordon, myself and the Indian Department to meet them in Council at that place in the space of three days as they expected a visit from O'Bale who was Conducting to their Council Fire a great man from the Governor of New York, accompanied by a French Gentleman—and that they wished me to hear what these people had to say Colonel Gordon thinking it necessary for me to comply with the request, I accordingly left this with Captain Brant but was much disappointed as I was detained there a long time almost to no purpose I inclose you their speeches to me on this occasion Capt Brant left this yesterday and means to proceed to Detroit which the Five Nations have approved of as you will see by their Speech—This Vessel sailing immediately on my return prevents me from having Dispatches compleated to go by her I have annexed a Copy of all the American Speeches for your information—The day before I left Buffaloe Creek A Nephew of O'Bale came in and added to the above Intelligence that it was not from one state that the Council was to be with but that a number of Americans were coming to the Council, at least one or two from each state, and that their Business with the Six Nations was to take them by the hand and Endeavour to get them to accompany them to the Western Indians in order to effect a Peace with those Indians and the United States.

D

Sir John Johnson
Bart

Endorsed—29

In Lord Dorchester's to
Lord Grenville No. 84
of 14th June, 1791

(Q 50-1 pp. 165-6.)

The Land Board was enlarged by the appointment of four new members, all of whom were magistrates. John Burch was a miller at Niagara Falls, John Warren, assistant commissary at Fort Erie, and Robert Kerr surgeon to the Indian department

Proceedings of Land Board

"Land Board, Niagara, 3rd May 1791

"Present R. Hamilton, Esquire John Burch, Esquire, John Warren Esquire, Robert Kerr Esquire, John McNabb, Esquire

"Mr Hamilton laid before the Board a letter from Henry Motz Esquire accompanying Lord Dorchester's order for augmentation and continuance of the Land Granting Department from the 1st May 1791 to the last June, 1793 The new members are John Burch, John Warren, Robert Kerr and John Mc Nabb Esquires of the Board any five are a Quorum

"The Board having observed that the intention of Government in keeping roads along the River from the Landing to Chippewey Creek has not been attended to by the inhabitants occupying those lands and who cannot be ignorant of a Chain being left by the Surveyor for that purpose, The Board Order that as soon as the present crops are got in the people do then move their fences and open the road to the breadth of the Chain of which the Clerk is directed to give them Notice

"The Board proceeded to grant certificates to such persons as attended

"Adjourned to the 1st Monday in June."

After conferring with Colonel Procter the chiefs of the Six Nations held a council at Buffalo Creek which was attended by Colonel Butler and the commandant of Fort Erie on their invitation. Butler advised them to maintain peace but counselled delay in co-operating actively with Procter until they could receive a message from Brant who had headed a deputation to confer with the western Indians near Detroit.

PROCEEDINGS OF AN INDIAN COUNCIL AT BUFFALO CREEK

Proceedings of a Council held with the Chiefs of the Six Nations at Buffaloe Creek, 4th May 1791

Present

Lieut. Colonel John Butler Deputy Agent
Captain Burrough 26th Regt
W. B. Sheehan
William Johnston, Interpreter

The Chiefs of Buffaloe Creek having met, Colo. Butler addressed them as follows,

Brothers,

A few days ago I received a Message from you to attend a Council begging that Coll. Gordon and all those belonging to the Indian Department would accompany me as the Business was of the greatest importance to you and wished our assistance and advice. I am now ready to hear what you have to say and return you your Strings of Invitation.

6 Strings Wampum.

The Farmers Brother Speaker

Brothers

An American and a Frenchman are arrived here, who say they are sent to us by the President, General Washington, with a

number of Papers which we cannot read we hope you will read them for us and Explain them fully

Brothers,

Exclusive of these they have other papers, which they explained as follows "That they are going on a Message with some Written Speeches to the Western Nations and that they were ordered to take the Chiefs of the Six Nations by the hand to accompany them agreeable to Capt. O'Hale's promise to Congress." This is a matter of serious Consideration to us Brothers what is your opinion.

Colonel Butler replied as follows.

Brothers,

I have heard with attention your speech It has always been my wish to advise you what I thought for your Interest I forsee the present case is not without its Difficulties—The King your Father wishes you to live in peace and I advise you by all means to preserve it, I cannot say it would be prudent for you to accompany these people immediately to the Westward those Indians you know are a good deal enraged they have also threatened you and at your last Council you approved of Captain Brant's going to visit them to see what they are about he is now gone and will use all his influence for peace, I think you should hear from him before you determine on going, but if you think your going will be instrumental in making peace and not involve yourselves in troubles I think you ought to embrace the opportunity of doing so.

This is all that occurs to me, but I by no means wish your attention to it, if it differs from your own opinion of this matter which concerns yourselves and the Americans, but as you insisted upon my thoughts on the subject—I have given you them

The Farmers Brother Speaker

Brother

We return you thanks for what you have said to us—We request you to take these Papers to Niagara that the King our Father may see them and a few of our Chiefs propose meeting Colonel Gordon & yourself at Niagara in three days to speak further on this subject.

Endorsed—33

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June 1791

(Q. 50-1 pp. 205-6)

FROM THOMAS PROCTOR TO COLONEL GORDON

Buffaloe Creek, May 5th, 1791

Sir,

Altho' I have not the honor of being personally known to you, I am notwithstanding emboldened to address you with a few lines, and thereby to acquaint you, that I am charged with certain messages from His Excellency the Secretary at War for the United States, to the Six Nations and other tribes of Indians, inhabiting the lands on the borders of Lake Erie &c. One of these Messages are particularly sent to the Indians, now unhappily at War with the Americans, and with which people it is the ardent desire of General Washington the President of the United States, that Peace should be established on lasting terms of Equality and Justice to them and Posterity. And to accomplish the same I am commissioned to invite them to a Treaty on the Ohio, not far distant from their Settlement.

The better to accomplish this desirable object, promises had been made to the President in January last by certain Chiefs who came to Philadelphia on business of the Six Nations, that they would appoint certain head men of their people to accompany such persons as should be sent into the Country of those unfortunate people to assist in bringing them to Terms of reconciliation with the Thirteen states.

This, Sir, you will be enabled to discover on reading the last Message of the Secretary at War, thro' me to the Six Nations which with other public papers, will be handed to you by the Farmers brother and other Chiefs who wait upon you, to tender you Council on this weighty business. And I am happy to believe that you will entertain the most favorable sentiments on the Intent and meaning of those overtures for the restoration of peace. And the same being founded solely on the principles of Humanity and a regard for the well being of our fellow men, that the same motive will invite you to give a small assistance in providing so laudable an undertaking and that of such a nature and tendency as to promote the Happiness of His Britannic Majesty's subjects of Canada, as well as to the United States in general.

The favor I have to request at your hand—namely to permit me to Charter a *Frigate*, or one of your Vessels for such number of Indians as may accompany me to Sandusky, on the west end of Lake Erie.

So far as my requests meet your approbation I shall receive the greatest Honor by you signifying the same by a line to

Sir

your most humble Servant.

THOMAS PROCTOR

Endorsed—No 34

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791.

(Q 50-1 pp. 206-10)

FROM JOHN BUTLER TO COLONEL GORDON

Niagara 6th May 1791

Sir

The enclosed Speech is what passed between myself and the Chiefs of the Six Nations at Buffaloe Creek which I hope will meet your approbation

I had not an opportunity of seeing the Private instructions of Colo. Proctor but from the Conversation I had with him, imagine he is to proceed at all events (and should none of the Indians accompany him) to the Miami River and from hence to the Ohio—he talked of hiring a Merchant Vessel to carry him to Sandusky and told me he hoped no impediment should be thrown in his way by preventing the Indians from accompanying him he also said he expected to be supplied with Charts of the Lake from Government if he should want them.

I am sorry illness has prevented me from waiting on you but as I expect the Chiefs from Buffaloe Creek, hope to be able to see you to morrow

I have the honor to be &c.

JOHN BUTLER.
D.

To
Colonel Gordon

Endorsed—No 32

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June 1791

(Q 50-1 p 204.)

Meanwhile the Governor had received information, which increased his apprehensions so much that he considered it necessary to repeat his warning message to Gordon which of course did not reach him until about the end of that month

From Lord Dorchester to Colonel Gordon

Quebec 9th May 1791

Sir

The expected approach of an Army in the Indian Country and the rumours of an intention to attack the posts or surprize them as was done at Ticonderoga in seventy six require that we should be on our guard and prepared for all events.

I send you herewith a copy of my orders to you of the 14th of last month, lest the original should have been miscarried, together with a copy of further directions of this date to Sir John Johnson on the same subject

Should the turn of Affairs require the King's Vessels and gun Boats on the Lakes, or any of them, to be fitted for War and the exigency of the service not admit of your waiting for orders from hence upon such reports as you may have to make you will proceed to arm and man the said Vessels or Gun boats or so many of them as you think necessary agreeable to the returns transmitted to you on the 6th of October last without delay

I am &c

DORCHESTER.

Colonel Gordon

D

Endorsed—28

In Lord Dorchester's to
Lord Grenville No. 84
of the 14 June 1791

(Q 50-1 p 164.)

Sir John Johnson was instructed to assure the Indians on the Grand River that General Haldimand's promise to them would be faithfully fulfilled and that the surrender of any part of their lands would not be accepted

From Henry Motz to Sir John Johnson

Quebec, 9th May 1791

Sir

On the subject of Joseph Brant's letter respecting the lands on the Grand River I am to observe that without doubt the Indians are entitled to the full accomplishment of Governor Haldimand's promise to them without any diminution and it shall be carried into execution accordingly

A Continuation of settlements along the borders of Lake Erie, concerning which it seems Indians have been spoke to, may be for the general convenience of the King's subjects, but no parts of the lands promised to the Indians can be kept from them on that ground

To leave their choice more free it should have been explained to them that this proposal did not come from Government, as from Government they may now be assured their acquiescence shall not be accepted, while they think it hard, that they should give it back after it has been given to them—They must have all that has been promised and if they should afterwards consent to surrender any part of their tract for the accomodation of the King's subjects in general they must have full and ample compensation, fix it to their entire satisfaction.

As to the nature of the deed it should be framed in every respect according to their own wishes so as to secure the true interests of themselves and their posterity for ever in the most effectual manner—It will be very desirable that they should consider this matter fully among themselves, and bring forward the heads of the deed they wish to receive—You will be pleased to recommend this measure to Captain Brandt, and to acquaint him with His Lordship's sentiments, expressed in this letter in general

I have the honor to be &c.

HENRY MOTZ.

Sir John Johnson,
Bart.

Endorsed—24

In Lord Dorchester's to
Lord Grenville No. 84,
of the 14 June, 1791

(Q 50-1 pp. 156-7)

At the same time he was directed to supply the western Indians with provisions to enable them to meet and deliberate fully on "the means of restoring the general tranquility." But he was again warned to be watchful and reminded of the surprise of Ticonderoga "in seventy six," which ever haunted Lord Dorchester's memory

From Henry Motz to Sir John Johnson

Quebec, 9th May 1791

Sir

Your letter of the 5th instant has been laid before Lord Dorchester

His Lordship thinks it very natural that the present situation of the western Indians should call for more than usual supplies of provisions and necessaries and that without such aid it will be very difficult if not impracticable to engage a sufficient number of their leading people to meet, and continue together long enough for the purpose of fully deliberating on the means of restoring the general tranquility

You will therefore be pleased to furnish His Lordship with a state of such extraordinary supplies as you may conceive the present circumstances to require.

Brant seems to think they are acting deceitfully with the Indians on this occasion, and that they intend to make a tool of him for that purpose.

On the other hand many are of the opinion that there is an intention of attacking the posts, or surprising them as they did Ticonderoga in seventy six

My Lord therefore thinks it necessary to be prepared for all events as you were informed by His letter of the 14th of last month

Besides great watchfulness in the affairs of your department to obtain and communicate the earliest intelligence of all movements in the Indian country His Lordship wishes them to consider whether in the case of an approach of an army the safety of the King's posts may not require that detachments from the garrisons and militia should march forward from Niagara and Detroit and occupy certain stations at a distance what stations they think most eligible for this purpose and by what force and means they should be occupied

Upon all these matters they should communicate their opinions fully to the Commanding Officers of the respective posts, as well as to you.

The situation of Oswego differs from that of the other posts, but the means of its safety should likewise be fully considered and the sentiments of the Officer of your department at Niagara, with respect to it, made known to the Commandant, and to you.

His Lordship wishes to have your own sentiments on all these matters, as soon as can be, besides the communication of such

reports and observations as you may receive from your officers at the different posts in the upper country

I have the honor to be &c.

HENRY MOTZ

Sir John Johnson
Bart
D.

Endorsed—27

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1 pp 161-3.)

As two weeks had elapsed without receiving any reply to his letter from Colonel Gordon, Proctor wrote again sending his second letter by his interpreter who had been formerly employed in the British Indian department and was well known to Colonel Butler

FROM THOMAS PROCTOR TO COLONEL GORDON

Buffaloe Creek, May 17th, 1791

Colonel Gordon

Sir

The 5th instant, and immediately on the departure of Colonel Butler from this place, I had the Honor to address a few lines to you which I put into the hands of Captain William Prunt an Indian to be forwarded, but I presume that the same has miscarried by some neglect

The purport of it was, to be permitted to have a passage in any vessel on Lake Erie, for seventeen or more Indians, and for three other persons who bear me company to any part of the west end of the Lake.

The Mission that I am charged with is from the Secretary of War for the United States, and directed to the Indians now unhappily at War with the Army of the United States, with desires to reclaim them to a peaceable demeanour before certain desolation overtakes them, which is now pending. To effect the purpose of my request from Colonel Gordon, I have sent Mr Horatio Jones to receive an answer and should the freight of the above persons be granted, I shall with much pleasure satisfy the

Commander of such vessel for the same and the honor done in this instance shall be duly acknowledged by

Sir

your most humble & obedient Servant

Thomas Proctor

Colonel Gordon

Endorsed—35

In Lord Dorchester's to
Lord Grenville No. 84,
of the 14th June, 1791

(Q 50-1 pp 211-2.)

Gordon apologised for his delay in answering and stated bluntly that he had no authority to grant his request which was undoubtedly true.

From Colonel A. Gordon to Thomas Proctor

Niagara, 18th May 1791

Sir

A few days ago I had your letter of the 5th Instant, to which I should have returned an immediate answer had I not waited for some Public Papers which you wrote were to be handed to me by the Farmer's Brother and other Chiefs who were to wait upon me, to receive my advice on business of importance

They have however never made their appearance at this post.

I think it but proper to give you this explanation, of my not having sooner replied to your letter but as there is no Document which places you in any other light than a private Agent, I cannot enter on any discussion of a public nature

Whenever any of the Chiefs of the Senecas, or others of the Six Nations apply to me for Council I shall give them such advice as I conceive best suits with the present situation of Affairs

As to that part of your letter which requests to be permitted to freight one of the Vessels on Lake Erie, to convey you, and such Indians as may be inclined to accompany you to Sandusky on the west side of the Lake, I beg leave to inform you, that I am not authorized to comply with your request

I am &c.

A. Gordon

Colonel Proctor

Endorsed—36

In Lord Dorchester's to
Lord Grenville No 84,
of the 14th June 1791

(Q 50-1 pp. 213-4.)

He then reported the matter briefly to the Military Secretary

FROM *COLONEL* GORDON TO FRANCIS LE MAISTRE

Extract of a letter from Colonel Gordon to Francis Le Maistre, Esqr., dated Niagara May 20th 1791

"There has for some time been at Buffaloe Creek a Colonel Proctor and three other people, one of them I understand a Frenchman they have had a Council with such of the Six Nations as are settled there at which Colonel Butler was present they produced voluminous papers from Congress and others of the United States, Copies of which I imagine are forwarded by this opportunity to the Superintendent General I inclose Coll Butler's speech on the occasion—The Farmer's Son and other Chiefs expected here have not yet made their appearance, But I inclose for His Lordship's information copies of two letters from Coll. Proctor to me together with my Answer

I have had it privately conveyed to me that the reason why the Chiefs have not appeared here to ask my Council, is, that they are very much divided some are for going with Coll Proctor and others not—I shall follow in the advice I give them much the same line as prescribed by Lt Coll. Butler should they apply for it.

D.

Endorsed—31

In Lord Dorchester's to
Lord Grenville No. 84,
of the 14th June, 1791

(Q 50-1 p 202.)

Butler wrote more fully on the subject to Sir John Johnson and in a subsequent letter justified his conduct in favouring the migration of Indians to the Grand River in an aggrieved tone.

Probably the Farmer's Brother

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara, 20th May, 1791.

Dear Sir,

Since I had the honor of writing you last a good deal of Indian Business at Buffaloe Creek has been in agitation, which required the Chiefs to send for me to attend their Council, the proceedings of which I have the honor to enclose herewith. About three weeks ago a Colonel Proctor arrived there accompanied by a Frenchman called Capt. *Houdin* and O'Bale with some of the Senecas that adhere to him, they left Philadelphia about the middle of last March and have brought a number of Papers, Speeches, &ca. from Washington and the Secretary at War addressed to different nations of Indians, those to the Six Nations I have got, but being so voluminous and Colonel Gordon requiring a copy, I fear they cannot be ready for you by this vessel, but shall be sent in the very next which will be in three days.

Col. Proctor's instructions are from H. Knox, Secretary of War by which he is to take the Six Nations by the hand to accompany him to the Westward and to take all those Nations to Governor Sinclair at Fort Washington on the Ohio, to meet in Council there, but his speeches are so haughty and explanatory, that in my opinion they cannot be delivered to those Indians already so much enraged, without risque to himself and failing of his object—It is well known that nothing is to be got by threatening these People.

The object of his Business with the Six Nations is not yet completed, but I am since informed that the Cow Killer with some Senecas and two Onondagas have agreed to accompany him, the Chiefs from Buffaloe Creek have proposed a Council at this place respecting these matters. I expect them to morrow and shall take the earliest opportunity of reporting to you their proceedings until the Council takes place nothing can be said with certainty as to the part they mean to act.

As my private Affairs will require my presence in Montreal I have to request your permission to go down for that purpose as I imagine after the meeting there will be little or nothing to detain me.

I have the honor to be &c

JOHN BUTLER.
D.

Sir John Johnson
Bart.

Endorsed—37

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June, 1791

(Q 50-1 pp. 215-7)

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara, 27th May 1791

Dear Sir

I received your letter of the 25th April respecting the removal of the Tuscaroras, and of the settlement intended to be made of the Americans opposite to Fort Erie, on the receipt of your letter I enquired of the Tuscaroras, what was their reason or who had advised them to remove over

They gave me for answer they had already assigned their reason fo wishing to move over and that they had been advised by the Indians settled on the Grand River

I have also enquired of the other nations if they received any applications for a settlement at Skeandloghquade's Creek they replied that no application had been made to them, but they had heard of Skenoghwadighs say that Americans wished to build a Mill at his Place, and were making application to the states for that purpose

Since its coming first to my knowledge which was from Colo. Gordon I have taken every step in my power to prevent it and am convinced the Indians will not allow it to take place.

How any censure should be thrown on me for either astonished me as much as the circumstances could astonish you, but to stop the torrent of censure aimed at me requires more than I can write—I at first thought it for the interest of Government for the Tuscaroras to remove to the Grand River but when I found it disapproved of I have used all my influence to prevent its taking place. If I have erred in opinion I should not be blamed for any subsequent change of theirs, & of which I probably may have no intimation at the time I rely on you Sir to explain this matter in its true light which I have now stated, and hope you will be convinced that any Censure thrown on me upon this occasion is without the least foundation as can at any time be made appear

I have the honour to be &c

Sir John Johnson
Bart.

JOHN BUTLER.
D.

Endorsed—17

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791

(Q 50-1 pp. 126-7)

Lord Dorchester did not conceal his displeasure at the recent management of Indian affairs at Niagara and censured in particular the timid and faltering tone of one of Butler's speeches to the Six Nations.

FROM FRANCIS LE MAISTRE TO SIR JOHN JOHNSON

Quebec, 30th May 1791

Sir

Lord Dorchester having been informed that Capt Powell of Nassau, has been tampering with some of the Seneca Indians, for the purpose of forming a Settlement of some people, not the King's subjects, on Skennundugisquade's Creek near the East end of Lake Erie, where they are supposed to intend building Mills, I am commanded to signify His Lordship's desire, that you make diligent Inquiry concerning the truth of the report and the particulars of the transaction alluded to, and inform His Lordship of the result.

The Commanding officer at Niagara has been directed in case he shall find the report grounded to call upon Captain Powell for an explanation of the reasons of his conduct which wears an unseemly appearance for a Magistrate and an Officer upon half pay

I am &c.

FRAN. LE MAISTRE.
D

Sir John Johnson
Bart

Endorsed—15

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791

(Q 50-1 p. 124)

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec, 2d June, 1791

Sir,

I am by no means satisfied with the language held by the Deputy Agent at Niagara to the Chiefs of the Six Nations on the 4th of May last a copy of which is inclosed.

He should have consulted the Commandant previous to giving any opinion or advice upon matters of such delicacy and importance to the Indians.

You will be pleased to direct the Deputy Agent upon all future occasions of this nature, when he has no special instructions to report to the Commandant and wait for his advice.

I am &c.

DORCHESTER.
D.

Sir John Johnson,
Bart.

Endorsed—38

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791

(Q. 50-1 p. 218)

FROM LORD DORCHESTER TO COLONEL GORDON

Quebec, 2d June, 1791

Sir,

The application of Mr. Proctor for the hire of one of the King's Vessels on Lake Erie, communicated in your reports of the 20th of last month has to me an appearance of insult. 'Tis impossible he could expect success.

I take for granted you have taken effectual means to prevent his procuring any vessel or conveyance whatever from any of the King's Subjects, which Mr. Butler mentions to have been his intention.

My letters of the 14th of April and 9th of May have apprised you that there are rumours of an intention to seize the posts which implies the vessels also, and of course any means for carrying hostile designs into execution.—You will therefore be upon your guard against every thing which may have a tendency to facilitate such designs

The inclosed copy of my letter to Sir John Johnson will inform you of my sentiments on the conduct of Lieutenant Colonel Butler on this occasion

This is a matter of too great delicacy and importance to give any opinion upon.

Whatever advice may be given will eventually expose us to the reproach of acting deceitfully with the Indians.

I am &c.

DORCHESTER
D

Colonel Gordon
or Officer Commanding
the Upper Posts

Endorsed—30

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791

(Q 50-1 pp. 219-20.)

At the next meeting of the re-organized Land Board the selection of a town site at the mouth of the river was approved and the name of Lenox was given to it.

PROCEEDINGS OF LAND BOARD

Land Board for the District of Nassau held at Niagara the 6th June 1791

"Present Colonel Gordon, Command'g Upper Posts, Lieut Col John Butler Robert Hamilton John Burch, Robert Kerr John McNabb, Lt. Bruyere, R. Engineers.

The board having met, Colonel Gordon laid before them several letters and instructions from Head Quarters for their guidance, which were read, also a paper signifying the appointment of Mr Jones as Deputy Surveyor for this District who was sworn by the Board for that purpose.

"Instructions were given to the Surveyor to proceed in laying out the Town of Lenox.

Read a petition from Peter Secord Senior stating that he had been promised by Brigadier General Powell six hundred acres of land, but from the late regulations he finds himself only entitled to three Hundred that having improved a great quantity of land and erected buildings, prays the Board to take his industry into consideration and grant him the remaining three lots agreeable to the promise of Brigadier Powell &c. which the Board agree to refer to his Lordship

"Received a petition from the Widow Van Every for leave to dispose of lots 10 and 37 in 1st Township which was granted upon condition of the purchase money being lodged in the hands of the Board until a Division of it takes place with the rest of the family

"The Board proceeded to grant certificates and transferred the lands that Henry Jago, Christian Jacobs, and James Dugan were entitled to to John McEwan, who had purchased them.

"The lot of land in dispute between Elsworth and Forsyth near the Falls containing about sixty acres, is ordered to be divided Acre for Acre, between them.

"Several disputes about lands viz. between Lawrence Jenning and Peter Thompson; 2d Between David Betton and Archibald Frack 3rd Between John Thompson and James Burke, were by recommendation of the Board referred to Arbitration. Adjourned to Monday 20th June, 1791

See also his later petition in Papers and Records of the Ontario Historical Society Vol. XXIV pp. 119-120.

EXTRACT FROM THE QUEBEC LAND BOOK

Wednesday 8th June, 1791

His Lordship informed the Council that he had continued the appointment of the different Land Boards in the province until the first day of June 1793—and communicated a Schedule of the persons named with a Copy of the Letter of Appointment addressed to each Board which were read in the following words

Schedule of the Land Boards appointed by His Excellency Lord Dorchester to act from and after the first day of May 1791

Sir John Johnson Bart President of the Land Boards of Montreal, Luneburg Mecklenburg Nassau and Hesse, when present.

NASSAU

The Officer commanding the Upper Posts
LIEUT COL. JOHN BUTLER
PETER TENBROOK
ROBERT HAMILTON
BENJAMIN PAWLING
NATHANIEL PETTIT
GILBERT TICE
JOHN BURCH
JOHN WARREN
ROBERT KERR
JOHN MCNABB
ESQUIRES

The Officer of the Royal Corps of Engineers stationed at Niagara for the time being

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FROM JOHN COLLINS TO AUGUSTUS JONES

Surveyor General's Office 10th June 1791

Sir

His Excellency Lord Dorchester has been pleased to order one thousand acres of land to be laid out at Toronto for Mr Rochblave and for Captain Laforce and for Captain Bouchette seven hundred acres each which please to lay out accordingly and report the same to this office with all convenient speed.

I am &c.

JOHN COLLINS, *D.S.G*

Mr Augt Jones, D.P.S

Colonel Gordon commented with considerable acerbity on what appeared to him to be duplicity on the part of the United States in their negotiations with the Indians as well as their unwillingness to accept any mediation from the British government. Butler was spurred to activity by instructions from Sir John Johnson.

FROM COLONEL A. GORDON TO JOSEPH BRANT

Niagara 11th June, 1791

Dear Sir

I am glad to find by your letter from the foot of the Rapids to Colonel Butler that you was in good health, and I very sincerely hope the business you are engaged in will be attended with success

From the inconsistent proceedings of the Americans, I am perfectly at a loss to understand their full intentions. Whilst they are assembling Councils at different quarters, with the avowed purpose of bringing about a peace, the Six Nations have received a Speech from General St. Clair, dated at Pittsburgh 23rd of April inviting them to take up the Hatchet against their Brothers the Western Indians.

Can anything be more inconsistent? or can they possibly believe the Indians are to be duped by such shallow artifices?— This is far from being the case; the Indians at Buffalo Creek saw the business in its proper light, and treated the invitation with the contempt it deserved.

It must strike you very forcibly, that in all the proceedings of the different Commissioners from the American States, they have anxiously avoided applying for our interference, as a measure they affect to think perfectly unnecessary wishing to impress the Indians with Ideas of their own consequence, and of the little influence they would willingly believe, we are possessed of. This my good friends is not the way to proceed. Had they before matters were pushed to extremity requested the assistance of the British Government to bring about a peace on equitable terms, I am convinced the measures would have been fully accomplished long before this time.

I would however willingly hope they will yet see the propriety of adopting this mode of proceeding, and that peace, an object so much to be desired, will at length be permanently settled. I am the more sanguine in the attainment of my wishes, by your being on the spot and that you will call forth the exertion of your influence and abilities on the occasion.

Let me hear from time to time how matters are going forward, and with my wishes for your health believe me,

your Friend,

A. GORDON

Captain Brant.

D

Endorsed—7

In Lord Dorchester's
to Lord Grenville No 95
of the 1st July 1791

(Q 51-2, pp. 777-8)

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara, 13th June, 1791.

Dear Sir,

I have been honored with your letter of the 22nd May last with its inclosed Extracts. In answer to which I am clearly of opinion that every prudent precaution should be taken to put us in a situation to meet the worst, as the present operations of the Americans, altho' under pretence of prosecuting another object, may be aimed at the Posts in the End, and to which their endeavouring to draw the attention of the Six Nations another way seems to give too much reason to expect, and as their troops are levied and in the Indian Country, the smallest pretext added to their present pretensions, may cause them to make an attempt.

If the Indians should be obliged to fly before this Army and should chance to take shelter under the protection of any of our Forts there is not the smallest doubt with me but they would take advantage of that Occasion, for if they find we even continue the accustomed supplies to the Indians at war with them, they will make a handle of it.

By the advice of Colonel Gordon I have sent out Captain Joseph Clement, and my son Johnson Butler on whom I can rely (under colour of business) to see if there is any thing amongst them which indicates their intentions, the result of which shall be immediately communicated to you on their return.

If we have farther reason to think they aim at this Post and Oswego, I think a Secret eye should be kept on the Three Rivers, Big Sodus, and Presque Isle, the two latter places, I think we may rely on the Indians for intelligence, at the same time our Militia should be put in the best Position their present situation will admit of, with full confidence that the necessary arms, &c. will be put in their hands or lodged in some convenient place but to avoid giving suspicion, I should recommend the latter as the most prudent.

For the present condition of the Militia I beg leave to recommend you to the Returns, from which His Lordship will be able to judge how far they may be serviceable and to effect any plan with them or the Indians, which His Lordship may think necessary, no exertions of mine shall be found wanting consistent with the orders I may receive.

I am happy to find by the late conference that the Indians (a few Individuals excepted) are firmly attached to His Majesty's Interest, to keep them so, and United will require attention assisted by the means which generally Predominate over them

I have already brought back those scattering Senecas about the Allegany River and near the Ohio, who are settled at Cadaragras* —from whence they have been absent since the Peace, and I hope this measure will meet His Lordship's and your approbation

I have the honor of enclosing to you herewith Copies of our late Councils with the Six Nations, and am &c.

JOHN BUTLER
D

Endorsed—8

In Lord Dorchester's
to Lord Grenville No. 95
of 1st July 1791

(Q 51-2 pp. 279-81)

Lord Dorchester's policy was distinctly defined in the concluding paragraph of the following letter to Mr Grenville.

FROM LORD DORCHESTER TO LORD GRENVILLE

Quebec, 14th June 1791

No 94.

My Lord,

……

A Mr Proctor charged, as he says with a commission to invite the different tribes of Indians to a general meeting on the Ohio, for the restoration of peace has lately made his appearance among the six nations near Niagara requesting them to accompany him to the westward and lend their aid in the accomplishment of this object He has likewise applied to the Commandant of Niagara for assistance to that effect, and for one of the King's vessels to carry him to the West of Lake Erie which the Commandant refused

By the accounts from Detroit it appears, that the Indians have been active all winter in harassing the western settlements of the states by small parties from different tribes and quarters, that military preparations and movements in the Indian Country are carried on with vigor on both sides, that the Indians expect further hostilities and that it is doubtful, whether the steps taken by the Deputy Agent at Detroit towards effecting a re-establishment of peace in consequence of my orders (C in No. 82) will have any success.

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* Now Cattaraugus, N Y

In this conjuncture of affairs it seems expedient to avoid every thing that may tend to involve us in the contest, or in the turn of affairs may expose us to the reproach of acting deceitfully towards either party at the same time holding ourselves prepared to meet all events as far as our strength and present condition will permit

I am &c

DORCHESTER.

Lord Grenville.

(Q. 50-1 pp. 82-5)

The attention of the Land Board was engaged by the survey of the projected town and the proposals for transporting goods over the newly opened portage road by a company in which two of the members Robert Hamilton and John Burch had a large interest.

PROCEEDINGS OF LAND BOARD

"Land Board held at Niagara, for the District of Nassau Monday 20th June 1791

"Present Colonel Gordon, Commanding the Upper Posts, Lt. Col Butler Robert Hamilton, Esquire, Nathaniel Pettit, Esquire, John Burch Esquire, John McNabb, Esquire Lieut. Brayere Royal Engineers.

"The Deputy Surveyor laid before the Board the out lines of proposed Town of Lenox by which there appears to be an error in the plan presented by the Surveyor General, which states that the reservation for works on the high ground back of Navy Hall, will leave a front for a town of three quarters of a mile and six hundred and forty feet Instead of this it appears from the present survey and report of the engineer there will remain only a front of about eight hundred yards. In some measure to remedy this the Board direct each lot to be divided into two which will still leave as many lots as were originally intended which they order the Surveyors to perform

"The Board having received a petition from several principal inhabitants stating their ability to fulfill the intentions of Government respecting the transporting across the carrying place all the effects of Government on the west side of the River and having examined several people as to the facts stated in the petition from hence the Board are of opinion that they are fully adequate to the end proposed and that the security required is ready to be lodged for the performance of the contract fully convinced of the essential service the settlement will derive from having this portage made a central public road and do strongly recommend the plan proposed

PROCEEDINGS OF LAND BOARD

"Land Board held at Niagara, 24th June 1791.

"Present Colonel Gordon Commanding upper Posts, Lieutenant Colonel Butler, Peter Ten Broeck, Robert Hamilton, Benjamin Pawling, John Burch, John Warren, John McNabb, Esquires, Lieutenant Bruyere, R. Engineers.

"The Board, after reconsidering the plans for a County Town in this District relinquish the first proposed by the Surveyor General and adopt the second as most eligible, the first having been curtailed by the reservations for Government, to a front of only eight hundred yards. They accordingly direct the Surveyor to run the out lines of the said town to the west of Navy Hall adjoining the reservation, and they direct that such persons as may be inclined to build on Town lots shall pay to the present possessors two pounds ten shillings N. Y. Currency for each improved acre and the present occupants are permitted to retain the lot on which their houses may fall.

"The Board Authorize a Public House to be built on the corner lot at the east end of the Town adjoining the River and a Mason'r Lodge on the next to it. Adjourned to the 2nd Monday in July."

After due enquiry Colonel Gordon reported that the complaint made by Brant against Captain John Powell was not sustained.

PROCEEDINGS OF LAND BOARD

"Land Board held at the 40 Mile Pond for the Upper Townships viz., No. 5, 6, 7 and 8, 10th February 1791.

"Present Lieutenant Colonel Butler, P. Ten Broeck, Robert Hamilton, Nathaniel Pettit, Esquires.

"The plans of the several townships being laid before the Board they proceeded to grant certificates to such of the Inhabitants as attended."

After considerable deliberation Lord Dorchester instructed Sir John Johnson to ascertain, 'with certainty and dispatch on what terms the western Indians, who had gained a considerable success over the troops sent against them commanded by Colonel Harmar would be willing to make peace with the United States

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec 10th February 1791

Sir

I have often expressed my concern at the hostilities between the United States and the western Indians and that I should feel great satisfaction in being instrumental in putting an end to these calamities.

I do not know how far this may be in my power but wishing to be fully prepared, in case the opportunity should offer you will be pleased to take such means, as you may think most effectual, to learn with certainty and dispatch the nature and extent of the specific terms, on which the confederated Indian Nations may be disposed to establish a general tranquility and friendship, with the United States together with the grounds of equity justice, and policy of those claims and pretensions on which they may think it expedient and incumbent on them to insist, for their honor and interest.

As the Indians themselves are the best judges of the extent of their own confidence they should be made clearly to understand that there is not the smallest desire to obtain any knowledge of their views and designs, but what they themselves of their own free choice may think proper to communicate.

I am &c

Sir John Johnson
Bart.

DORCHESTER.
D.

Endorsed—C

In Lord Dorchester's to
Lord Grenville No. 82
of the 19th Feby 1791

(Q 50-1 pp. 76-7)

As Philip Frey had not returned to Niagara Augustus Jones was appointed to succeed him as deputy surveyor and given explicit instructions to continue the surveys.

FROM COLONEL GORDON TO FRANCIS LE MAISTRE

Niagara, 29th June 1791

Sir

In consequence of your letter under date 30th May I have made what enquiry was in my power, in order to discover whether there was any ground for supposing Captain Powell had been tampering with the Indians at and in the vicinity of Buffalo Creek, to establish a settlement of some persons, not subjects of the King and after having sent for Capt Powell and talked the matter over I have no reason to suppose him in any degree reprehensible

But as I am ignorant of the Channel through which His Lordship received His information, I am not enabled to investigate the whole of the transaction so fully as I should otherwise be was that known to me.

I have the honor to be &c

A Gordon
D.

Major Le Maistre
M S
Head Quarters.

Endorsed—(9)

In Lord Dorchester's to
Lord Grenville No 98
of 27 July 1791

(Q 52 p 195)

The recently appointed deputy surveyor reported progress of surveys at considerable length.

From Augustus Jones to John Collins

Nassau, 29th June 1791

Sir

I am honoured with yours of 22nd February last informing me of my appointment to the office of Surveyor in this District, accompanied with instructions for my conduct in this business and covering a draft for fifty pounds Quebec currency on Hamilton and Cartwright to enable me to carry on the same.

I would wish in the warmest terms to express my gratitude to you for your goodness in procuring me this appointment, believing however that the most effectual way to evince that will be my future attention assiduity and industry I will endeavour by these and by the strictest obedience to such orders as you may furnish me with to shew that I am not unworthy your future countenance or of the favor already conferred

Since my appointment I have been busy in surveying the ground for the proposed town of Lenox. The Land Board now state the reasons that have induced them to change the place they had formerly proposed and to prefer the situation on the north of the intended works at Navy Hall to those on the south side.

How such an error could arise as 800 yards in the distance between the high ground at Navy Hall and the fixed line of the granted land, I cannot conceive, but such it is and leaves after the reservation of Government only 800 yards for the front of the town. The land behind also is by no means favourable, and in my opinion the Board and Settlement has made for a more eligible choice.

A Plan of the proposed town accompanies the letter from the Land Board and will more fully explain every particular, as it is thought expedient to wait the consent of Government to this alteration, and as the lands are mostly covered with grain which in a month or two will be gathered in, the Land Board have directed me to proceed on the surveys from the Eastern Boundary of the District and to defer laying out the town till my return, which I trust will meet your approbation.

Inclosed I herewith transmit an account of my time since my being first employed by the Board here on the departure of Mr Frey which I respectfully submit to your control. When not employed in actual Service I was constantly engaged by the Land Board in making plans of the different towns and in attending their meetings when granting certificates for lots in these. This is also accompanied by a state of the actual expences attending the survey of the lands reserved for the Indians on the Grand River as certified by the Board. You will observe the pay allowed the men on that party is higher than is to be given by the regulations now received, when however you consider the hardship of the service, undertaken in the middle of winter and in a country where the men were obliged to carry a week or ten days provisions on their backs, and that as these men were hired by the day as we could not ascertain the time necessary for the service, I trust you will not find this unreasonable. In future I hope to procure the hands on the terms you point out.

I have appointed Robert Lester Esq. my Attorney in Quebec to settle my pecuniary business there. As the amount of these sums has been on the wish of the Board advanced by merchants here and as my own situation does not allow me to lay long out of my pay I depend upon your kind interposition to have these audited with your first leisure.

I shall take the earliest opportunity in my power to extend for you a plan of this settlement on the scale you direct with the owner's name on each Lot. In the mean time I send you a plan of this settlement from scale of eighty chains to an inch which I hope will meet your approbation

I am &c.

AUGUSTUS JONES, D.P.S

John Collins, Esqr D.S General Quebec

(District of Nassau Letter Book No. 5 pp. 41-2)

STATEMENT OF ACCOUNT BY AUGUSTUS JONES

Surveyor General's department

To Augustus Jones, Dr

District of Nassau

To actual surveys running a Township line back of Township No. 5 from the 22d April 1790 to the 9th May both days inclusive—18 days at 7/6	£ 6 15.0
To surveying part of a Township on the North West side of Lake Geneva from the 14th May 1790 to the 26th both days inclusive—13 days at 7/6	4 17.6
To Surveying Indian lands Grand River from the 4th Jany 1791 to 29th March both days inclusive—85 days at 7/6	31 17.6
To his salary from the 28th November 1789 to the 10th April, 1791 383 days Exclusive of 116 days upon Actual surveys at 4/	76.12.0
To a Ration of Provisions from the 12th October 1789 to the 10th April 1791—463 days Exclusive of 85 days drawn from the Kings store at 1/3 pr day	28.18 9
E. E. Quebec Currency	£149 0 9

Amounting to One hundred and Forty Nine pounds and Nine pence Quebec Currency—

I do Certify this to be a just and true Account 11th April 1791

Sworn before me at Niagara this 29th
day of June, 1791—R. HAMILTON J.P. AUGUSTUS JONES, D.S
(State Records)

The critical situation confronting Gordon and his apprehensions were clearly stated in a letter to Lord Dorchester requesting more explicit instructions, but with little effect.

From Colonel A. Gordon to Lord Dorchester

Niagara, 4th July 1791

My Lord,

I had the honor to receive your Lordship's letter under date 2nd June, covering the copy of one from your Lordship to Sir John Johnson on the subject of Lieutenant Colonel Butler's speech to the Chiefs of the Six Nations, on the 4th of last May.

In my dispatches under date 14th June, I had the honor to convey to your Lordship copies of different papers from Buffaloe Creek together with my reply to the Chiefs and Warriors of the Six Nations, as also a copy of a letter I addressed to Captain Brant at the foot of the Rapids on the Miamis, both of which I hope will meet your Lordship's approbation.

From the delicate situation in which I find myself placed with respect to the Indians, and the necessity I am under of attending and returning answers to their almost daily Councils, I am induced to address your Lordship on the critical situation which they appear to me, to stand in, and to hope I may receive your instructions to guide my general line of conduct towards them.

I am fully convinced, from every information I have received, the Six Nations will be obliged to embrace hostile measures, in favor of the Americans, or in support of their Allies the Western Indians, in either of which situations they will expect some decisive measures on our part. Should they as there is every reason to believe, decline the solicitation of the Americans to take up the hatchet, many of their Villages and scattered settlements, will without doubt be sacrificed to such refusal, those settled at Buffaloe Creek feel these [illegible] [illegible] [illegible] respect very forcibly.

Many families of the Delaware Nation, notwithstanding the active zeal with which they conducted themselves in support of Government during the last war, continued, on the conclusion of the peace, at their former places of residence, are now crowding towards our limits in order to avoid joining the Americans on the present occasion.

In short the whole body of Indians who have been used to apply to Government in matters of difficulty, are alarmed, and appear in such a state of uneasiness, I do not hesitate to pronounce, that the steps pursued in this crisis will either tend to rivet their attachment, or operate with very contrary effects.

Little acquainted with the style in which Indians are accustomed to be addressed and anxious that my conduct should meet your Lordship's approval, I hope you will forgive the earnestness with which I again solicit your instructions on this subject.

I beg leave at the same time to observe to your Lordship, that the presence of Sir John Johnson as a person to whom they look up with respect and confidence, would I am convinced be attended with happy effects on the present occasion. I propose having the honor to write him by this opportunity stating the particulars which I now lay before your Lordship.

As the Merchant vessels both on this lake and those above, are unarmed and their capture would greatly facilitate any hostile views the Americans may have against the King's Posts, I have without waiting for your Lordship's instructions given orders they shall not be permitted to sail, unless in Company with one of His Majesty's Armed vessels. As this order may be attended with some occasional delay and perhaps detriment to the Mercantile interest, I have to request your Lordship will honor me with your commands on this subject as soon as possible.

I have the honor to be &c.

A. Gordon

The Right Honble Lord Dorchester
&c., &c., &c.
D.

Endorsed—7

In Lord Dorchester's
to Lord Grenville No. 98.
of 27th July 1791

(Q 52 pp 190-2)

Proceedings of Land Board

"Land Board, held at Niagara, 6th July 1791

"Present: Lieutenant Colonel John Butler, Robert Hamilton, John Burch, Robert Kerr, John McNabb, Esquires.

"The Board having met, proceeded to grant certificates to such of the Inhabitants as attended. Adjourned."

From Lord Dorchester to Colonel Gordon

Quebec, 14th July 1791

Sir,

From your letter of the 4th instant I perceive with concern that the hostilities in the western country are likely to spread still further, yet I see no ground at present for adding to, or altering the instructions formerly given. The same principles must still govern your conduct and the same watchfulness and vigilance observed which has been so often recommended

In regard to private vessels on the lakes it may suffice at present to give orders, that the masters of the King's armed vessels take under their convoy and protection all such as may think proper to sail in company with them, and request that assistance, informing the Merchants thereof and recommending it to them to avail themselves of the advantage as often as circumstances will permit.

Should any further restraints become necessary they must be imposed in the manner directed by the ordinance of 1788 for promoting the inland navigation a copy of which is enclosed for your information.

You will of course report any event which may call for such interference, and hold the merchants apprized of any circumstances interesting to the safety of their vessels.

It may however be expedient to caution private vessels and order those in the King's service not to admit persons unknown especially in numbers to come on board nor to land or anchor at places not under our immediate protection

I am &c.

Dorchester.

Colonel Gordon
Endorsed—

In Lord Dorchester's
to Lord Grenville No. 98
of 27 July 1791

(Q 52 pp 193-4.)

Walter Butler Sheehan a nephew of Colonel Butler and storekeeper in the Indian department was appointed Sheriff of the district to fill the vacancy caused by the death of Gilbert Tice.

COMMISSION OF SHERIFF TO WALTER BUTLER SHEEHAN

George the Third by the Grace of God of Great Britain, France and Ireland King Defender of the Faith and so forth.

To Walter Butler Sheehan Esquire, and to all whom these Presents shall come to Greeting.

Know Ye that reposing trust and confidence in the Loyalty Integrity and Ability of You the said Walter Butler Sheehan, of

Our special grace, certain knowledge and meer motion We have Assigned Constituted and Appointed, and by these Presents Do assign, constitute and appoint You the said Walter Butler Sheehan to be Sheriff for the District of Nassau within Our Province of Quebec in the Room and place of Gilbert Tice Esqr deceased and We Do give and grant the same District to be your Bailiwick, and Do commit to your care and keeping the Prisons within the same District To have and to hold exercise and enjoy the said Office and Bailiwick for and during Our Pleasure and your residence within the same District Together with all and singular the Powers and Authorities, profits, benefits, privileges and Emoluments which unto the said Office and Bailiwick belong and appertain. In Testimony whereof &ca

16th August 1791

(Draft of Commission in State Records.)

An effort was made by the Land Board to promote the cultivation of hemp but no record has been found of the result

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau 6th September 1791

Present Colonel Gordon, Commanding Upper Posts, Robert Hamilton, Robert Kerr Esquires, Lieutenant Bruyere, Royal Engineers.

"The Board having met Colonel Gordon laid before them several letters relative to the Land granting Department, and stating that in consequence of an application from this Board a quantity of Hemp seed had been sent up for the Inhabitants of this District, and for the purpose of making a tryal of the seed the Board authorizes two barrels to be distributed in small quantities this fall—adjourned

Later activities of the Land Board and the progress of surveys are briefly narrated in the following minutes and a letter from the diligent deputy surveyor

PROCEEDINGS OF LAND BOARD

Land Board Lenox 9th November 1791

"Present Lieutenant Colonel Butler R Hamilton R. Kerr John Burch Esquires, Lieutenant Pilkington Royal Engineers.

"The first business before the Board being to fix the boundary between the town of Lenox and works reserved for Government, they therefore directed the Deputy Surveyor, who was assisted by the Engineer, finally to fix the said line, which was accordingly executed and the base line marked with stakes. The Board in consequence directed the Surveyor to employ sufficient hands to lay out the said town into lots agreeable to the plan produced by him and approved by the Board, on which business he will proceed without Delay.

FROM AUGUSTUS JONES TO JOHN COLLINS

Niagara, 16th November, 1791

Sir,

I am honoured with your three letters of different dates with the enclosures & have been busy in making out the plans of the townships of this Settlement and completing a register of reduced Provincial troops being under the designation you direct.

The death of my father and brother (which happened last Month) prevented me from making my returns to you as soon as I could have wished.

The plan which I mentioned to have sent I left with the Clerk of the Land Board when I was ordered by them out on actual survey, he was to have sent it by the first Opportunity that might offer, he falling sick it was neglected, also I concluded it was gone down till I received yours, as the draft has been somewhat defaced [I] hope you will excuse the present appearance as I had not time to make a new one. Then I send with the plans of the different townships & with proprietor's name inserted in his own lot which I hope will meet your approbation.

Inclosed is a charge of expences incurred in surveying the last six months with the vouchers both from the Land Board and the men who has been employed which I trust you will find right.

I have completed the survey from the Eastern Boundary of this District extending west only two miles beyond Toronto, including the fronts of eleven townships agreeable to your regulations in that respect, a plan thereof together with the field notes I will send for you the earliest opportunity that may offer after this.

The Land Board ordered me to proceed in laying out the town lots in Lenox, for the accomodation of several persons who wish to build, when this is completed I shall have the honour of laying it before you.

New as yet in the office you have had the kindness to place me in, I trust to your goodness to overlook any inaccuracies or omissions I may have been guilty of and I shall most thankfully receive any corrections or instructions you may be pleased to favour me with. With sincere Respect I am &c.

AUGUSTUS JONES, D.P.S.

John Collins, D.S.G.

(District of Nassau Letter Book No. 5, pp. 52-3.)

PROCEEDINGS OF LAND BOARD

"Land Board, held at Fort Erie, 21st November, 1791.

"Present: Lieutenant Colonel Butler, Robt. Hamilton, Benjamin Pawling, John Burch, John Warren, Esquires.

"The Board having met in this part of the District for convenience of the settlers, granted certificates of location to such as attended. Advertisements were issued informing the public that the hemp seed would be distributed gratis in proportion to the land they would have prepared in the spring.

"The Board, after regulating the number of people for the different parts of the public road leading from Chippeway Creek to Fort Erie, adjourned."

Towards the end of November the surprising news of the complete defeat of General St. Clair's force was received and embodied in the following anonymous letter, probably written by Robert Hamilton, as a comparison with a part of Hamilton's letter to Simcoe, dated at Niagara on 4 January, 1792, and printed in Volume I, pp. 90-1, goes far to prove. By the fur traders and officers in the public service in Canada there can be little doubt that this was considered an event of great importance as being likely to place the frontier posts in a position of safety from attack for a long time and promoting the return of peace in the Indian country. As soon as Simcoe heard of it he wrote to Mr. Dundas that it may be productive of beneficial consequences to the Government of Upper Canada by terminating the War upon equitable terms between the American Indians and the United States.

A LETTER FROM NIAGARA

Niagara, 24th Novr. 1791.

Dr. Sir,

I wrote you a few weeks ago, perhaps this may reach you nearly as soon as the other. the reason of my troubling you is to convey the very interesting News we have just rec'd from Detroit.

—The American Army of which no doubt you have this summer heard, had advanced on the third of this month to within Forty Miles of the Miamis Towns, they were there encountered by near Two thousand Indians, who on that day took from them the greatest part of their Horses & Cattle—On the 4th at Sun rise they attack'd their Camp, but were twice repuls'd, irritated beyond measure, they retir'd to a little distance where separating into their different tribes, and each conducted by their own Leaders, they returned like Furies to the assault & almost instantly got possession of near half the Camp—they found in it a row of Flour Bags & bags of Stores, which serv'd them as a Breast work, from behind which they kept up a constant & heavy fire, the Americans charg'd them several times with Fixed Bayonets, but were as often repuls'd—at length General Butler, second in Command being kill'd the Americans fell into confusion & were driven from their Cannon, round which a Hundred of their bravest Men fell, the Rout now became universal, & in the utmost disorder, the Indians follow'd for six Miles, & many fell Victims to their Fury. In the Camp they found 5 pieces Brass Cannon, 3 of 6 & 2 of 4 pounds 1 4½ Mortar & 2 pateraros, all Brass & mounted for field Service, with these they took all the Arms, Ammunition, Provisions, Clothing, entrenching Tools and Stores of every kind the Americans had in their Camp for the purpose of erecting Forts, & passing the ensuing Winter in the Indian Country, besides the Commanding Officer, the Adjt. Genl. & Surgeon Genl. Twelve hundred are said to have Fallen in the Assaults & pursuits—you however know the Indians most probably this Number is exaggerated we do not hear of one prisoner—about 50 of the Indians are said to be killed & wounded, the Numbers at first were American Regulars 1500, Militia 800 in all 2300—of Indians nearly 2000. Two Forts they had erected on their Road nam'd Hamilton & Jefferson are said to be surrounded by the Indians, they contain 100 Men each with but little provisions. the truth of this information may be depended on, Simon Girty if not in the action, was within view of it. He had join'd Capt. McGee at the foot of the Rapids) brought the American Orderly Books & all their papers—Butler's Scalp was brought in & is sent they say to Joseph Brant with a severe Sarcasm for his not being there—He is at the grand River with the Six Nations—Cowan in the Felicity was dispatch'd with the interesting intelligence. I saw him yesterday at Fort Erie—He left your Brother well on the 14th who had sometime before hurt his arm and was not yet able to write. an Express is now getting ready for Quebec, finding an opportunity I send this by New York. Humanity shudders at the number of poor wretches who have fallen in this Business, but as they were clearly the agressors they merit less pity. the horrible Cruelties that may probably now fall on the defenceless Frontiers of the Western

American Settlements, is infinitely more dreadful & claims from every person who can feel as a man, every preventative that can be devis'd, I have this morning wrote to our Friend Mr. Asken strongly pressing him to join the Trade in supplying the Indians with moderation The Americans must be severely hurt at this Blow however willing to resent it, they will find great difficulty in raising another Army for this Service They would probably listen to any Reasonable Terms of accomodation if they saw a prospect of its being establish'd on solid Grounds, perhaps this can only be affected by the influence of the British Government & Trade with the Indians—The Terms the Indians ask'd were that the Ohio should be establish'd as the Boundary to the American Settlements, & that they should enjoy unmolested their hunting Grounds, to the West & North of that River some of the Branches of the Ohio to the Southward of this come within a few Miles of the Genesee River which runs into Lake Ontario Sixty Miles East from the Fort of Niagara—If these two Rivers by the interposition of Government could be fix'd as the Boundaries between the Americans and Indians, & between them & us, we should secure our Posts, the Trade, & the Tranquility of the Country you will know that the present Line must furnish a source of constant Contention & dispute—The others now propos'd being on Streams not navigable, will be free from this, the Indians not having I [illegible] sold their Country between this & the Genesee nor does any of the American Settlements extend to the West of that River but they very soon will—I wish our Peacemakers of 83 had but known a little more of this Country I wish our present Ministry were informed of the actual situation—perhaps this is the important moment in which the unfortunate terms of that Peace may be alter'd—Perhaps this moment may never return—

Allow me to call on you and Mr T——[1] and our other Friends sincerely to consider this & believe me to be &c.

(Q. 57-1 pp. 178-81.)

The proceedings of the Land Board in the course of the winter and the progress of surveys are narrated in the following extracts from the minutes and the letters from and to the Deputy Surveyor General:

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau, 5th December 1791

"Present: Lieutenant Colonel Butler, Robt. Hamilton, John Burch, Robt. Kerr, Jno. McNabb Esquires, Lieutenant Pilkington, Royal Engineers.

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[1] Probably Isaac Todd.

The Board direct the Surveyor not to extend the Town of Lenox further back than one mile from the bank of the River the line to run South thirty degrees West The choices for Town lots were drawn for from No 1 to 84, inclusive. Adjourned

PROCEEDINGS OF LAND BOARD

Lenox, 12th December 1791

Present Lieutenant Colonel Butler Robt. Hamilton, Benjamin Pawling Robt. Kerr John Burch John McNabb, Esquires

"The Board having met, proceeded in granting tickets for choices of Town lots and directed that all lots that have been cleared should be paid for before they were granted, at the rate of 25/ per acre, for the purpose of defraying part of the expense of the Jail or other Public Buildings Adjourned.

THE MEMORIAL OF COLONEL JOHN BUTLER

To His Excellency Lieut Governor Clarke, Major General and Commander in Chief of the Province of Quebec &c., &c &c

The Memorial of Lieut. Colonel John Butler
Humbly Sheweth

That your Memorialist having early in the late troubles with America taken an active and decided part in favor of the Kings Government had his whole Estate, real and personal confiscated and sold, some part of which was in Lands not Patented at the time he was oblig'd to retire to this Province was therefore not included in the estimation of his losses given into the Commissioners for examining into the Loyalists Claims—tho' in equity his real Property—your memorialist on application to Lord Sidney in the year 1785 was referred to the Governor of this Province—and in the year 1787 laid his case before the Governor and Council at Quebec praying for such relief in vacant Crown Lands in this Province as to them should seem right—and was since informed that lands would have been granted him had the Place have been describ'd—

Your memorialist therefore now prays that he may be allowed to Locate Lands in the District of Nassau at the south-west corner of the Late purchase from the Missesago Indians between Toronto and the Head of Lake Ontario, six miles on the Lake, and extending back twelve miles on the end of the purchase.

And your memorialists as in Duty bound will ever pray &c., &c &c.

JOHN BUTLER.

Montreal 5th Septr 1791

[illegible] of Lands Enclosed

[illegible] of Lands the property of Lieut. Colonel Butler which has been confiscated and sold in the State of New [illegible] included [illegible] the estimate given in by him to the [illegible] for examining into Loyalists Claims—

In Jessups Patent	2000	acres
[illegible] do	15000	"
Col. Crohan[illegible] do	5000	"
[illegible] at Lake Otsego	2000	"
John Glen [illegible]	2000	"
Glen & Yates do.	1000	"
Ro[illegible] Mills do.	600	"
	27600	acres

Montreal 7th Sept

Extract From [illegible] Quebec Land Book

24th December 1791

[illegible] petition

[illegible] of the Land Committee dated 9th October [illegible] Lieut. Colo. Butler for Lands in Nassau [illegible] words.

[illegible] His Excellency A[illegible] Clarke, Esq. Lieutenant Gover[illegible] Commander [illegible] Chief of the Province of Quebec &c. &c. &c. [illegible] General Commanding His Majesty's Forces in Amer[illegible] &c. The [illegible] of the Land Committee consisting of Messrs. [illegible] on the petition of Lieutenant Colonel [illegible] for Lands in Nassau

May it please your Excellency

[illegible] in your Excellency's Order of reference of [illegible] last, for a [illegible] beginning at the South [illegible] the Crown from the [illegible] between [illegible] of Lake [illegible] June [illegible] or to the [illegible] compensation for the loss of 27,000 [illegible] in New York before the late [illegible] confiscated and sold and were [illegible] delivered to the Commissioners for examining into the claims of Loyalists

"The Com[illegible] e of a Petition from [illegible] 1787 praying for [illegible] Petition Re[illegible] the 28th [illegible] 798 [illegible] Lord Dorchester [illegible] the Crown [illegible] Commit[illegible] [illegible] with.

"[illegible] humbly submitted to your Excel[illegible]

(Signed) HUGH FINLAY

"Council Chamber [illegible] in the Chair

Bishop's Palace

"Quebec 9th Octr 1791

(Pp. 311–2)

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau January 2nd 1792.

"Present, Lieutenant [illegible] Robt Hamilton, John Burch, Robt Kerr, John McNabb, Esquires.

"Capt. H[illegible] [illegible] the 34th having made application for 15 [illegible] 200 acres each situated on the north side of the [illegible] the north east corner of the Township [illegible] the west corner of the Town[illegible] [illegible] Instruction of 17th February 1789 [illegible] each township [illegible] Lake were [illegible] to which they have not [illegible] the power [illegible] concession. They [illegible] by him [illegible] may apply by memorial [illegible] the power of the Board to grant.

FROM JOHN COLLINS TO AUGUSTUS JONES

Quebec 23rd July 1792

Sir

I duly received your letter with the plans and accounts that accompanied it, for which please accept of my thanks, and I assure you that both your plans and accounts came in that regular manner that does you great honour and gave me great satisfaction.

I beg that with all convenient speed you send me plans of your surveys made in the course of last Summer by order of my instructions of 22nd February 1791 Colonel Simcoe, the Governor of your Province is now with us I have taken the liberty to recommend you to him in the manner I think you merit and I cannot doubt but that you will be continued in your salary I have received from Government on your account £165.2.9 Currency of which I advanced you £50 and I have paid into the hands of Lester and Morrogh, £115.2.9 Currency which is the full amount of your account I cannot say who will be your Surveyor General in future, should it be your humble servant you may command my ready and best services I am &c

John Collins, D S G

Mr Augustus Jones.

(District of Nassau Letter Book No. 5 pp. 57-8.)

Proceedings of Land Board

Land Board Lenox, 9th February 1792.

Present Lieutenant Colonel Butler Robt Hamilton, John Burch, Robt Kerr John McNabb, Esquires.

"Several applications were laid before the Board from persons in the District of Mecklenburg for lands on the north side of Lake Ontario, in this District one of which specifys a Mill Seat

"The Board having reference to their Instructions, find that they are restrained from granting Mill Seats, and are of opinion that the creeks falling into that part are valuable for fishing &c. therefore direct that they shall not become private property whereby this natural advantage might be destroyed They therefore, reject those petitions, and direct the Clerk to transmit a copy of this resolution to the Board at Kingston for the information of the applicants, but that whenever a proper arrangements of those lands is made they shall then come in for lands according to the priority of their petitions.

Proceedings of Land Board

"Land Board held at Niagara, 25th February 1792.

"Present Colonel Gordon Commanding Upper Posts President, Robert Hamilton John Burch John Warren, Robert Kerr Esquires, Lieutenant Pilkington, Royal Engineers

The Board took into consideration the accounts transmitted by Mr Frey to the Surveyor General's Office, and sent up from thence for the inspection of the Board. As these accounts are totally unaccompanied with any set of vouchers the Board remit them to Mr Jones to procure in every individual charge the best vouchers he can get which the Board will take into their consideration and transmit to Head Quarters with their opinion thereon.

They recommend to Mr Jones to have this completed with every dispatch in his power. Adjourned.

FROM AUGUSTUS JONES TO JOHN COLLINS

Nassau 26th Feby 1792

Sir

I am duly favoured with yours of the 23rd ulto. & think myself exceedingly happy in any degree to have merited your approbation. The commendations you bestow will I trust have the effect to make me exert myself to the utmost to deserve the continuation of your good opinion. I send herewith the plans of my surveys made last summer on the north side of Lake Ontario on a scale of 80 chains to an inch.—The field notes are too bulky to accompany this by express, but will send them per first opportunity in the Spring.

Since my last letter to you I have been busily employed making a survey of the town of Lenox, but the weather setting in very severe, was obliged to stop proceeding in that business until a more favourable opportunity & when finished I shall have the honour of laying it before you.

I am truly sensible and very thankful for your kind attention to my pecuniary matters, and must take the liberty of soliciting the recovery of my pay from the 20th November 1789 to the 10th April 1791 a Memorial on this subject I herewith transmit thro, Mr Lester my Attorney to the Commander in chief accompanied by my account and the certificate of the Land Board stating my appointment by them and my services.

I observe by a copy of a Minute of the Committee of Quebec of the 19th December last, that they look on me accountable for 542 rations of Provisions issued at this place to the surveying party between the 24th Decr 1790 and the 24th April, 1791 when employed in the survey of the Indian Lands on the Grand River. Will you have the goodness to state to them, that these provisions were issued to the people employed on actual service exclusive of the two shillings and six pence currency per day as this service was peculiarly hard at that inclement season of the year as stated by the certificate of the Land Board which accompanied that account.

If I am so fortunate as to retain my present place under the new Government I shall owe it entirely to your obliging recommendation for which I shall be ever thankful & I shall doubly esteem my appointment should you be at the head of the Department.

I have the honor to be &c

Augustus Jones

Hon'ble John Collins

Dy Surveyor General.

Quebec

(District of Nassau Letter Book No. 5 pp 59-60)

The arrival of Colonel John Graves Simcoe at the city of Quebec was known in Niagara early in January for on the fourth of that month Robert Hamilton wrote a long letter to him on public affairs. Afterwards in conjunction with Colonel Butler his colleague in the court of Common Pleas, Quarter Sessions, and the Land Board he prepared an address of welcome which was signed by many of the inhabitants in the vicinity and duly forwarded.

From John Butler and Robert Hamilton to J. G. Simcoe

Niagara Feby 27th 1792

Sir

At the request of the other Magistrates and of the most respectable settlers in this District we have the honor to present to you the enclosed address.

It affords us the greater satisfaction as furnishing an opportunity of offering at the same time our own personal and unfeigned respects and of stating the promising prospects of the District in which we reside.

Our last crops have been abundant to our almost expectations and peace and plenty promise once more to reside among us.

Our Courts of common Pleas and Quarter Sessions as established by His Excellency the Governor General continue till further directions to perform their usual Duties.—From the attention of the Magistrates and from the peaceful deportment of the people but few causes of considerable consequence have ever come before us. From our past documents we do not under-

[illegible] that [illegible] ned

[illegible] onal [illegible] will afford [illegible] more [illegible]

With [illegible] &c. &c.

[illegible]

R. Hamilton J. C. C. pleas

J. G. Simcoe

(Q 278 pp. 131-2)

ADDRESS TO LIEUT. GOVERNOR SIMCOE

To The Hon'ble John Graves Simcoe, Lieutenant Governor of the Province of Upper Canada &c. &c. &c.

May it please your Excellency

We permit the Magistrates and the Inhabitants of the District of Nassau to offer you their sincere congratulations on your appointment to the Government of Upper Canada, and on the safe arrival of yourself and family in this Country

Established in this Quarter by the Munificence of the best of Sovereigns and supported by the bounty of the British Government. We are just emerging from the Indigence and obscurity which constantly attend new settlements—Our possessions are now becoming of Value and plenty once more begins to shew her Face among us.

The having these possessions confirmed to us by regular deeds. The having our property secured to us by good and equitable Laws and the having these established and enforced by the Wisdom of our Government, affords us the most promising hopes of future success.

For these manifold blessings, we trust our Gratitude will be best shewn by our unalterable Loyalty to our King and to his Government by our unremitting Industry and peaceable demeanour as his Subjects

To the Fatherly care of his Excellency The Governor General and to the fostering hand of his Council The new Settlements owe in a great measure the rapid progress They have made in so short a time. For these our grateful thanks are due and we wish to express that tho' now separated nothing will give us so much real satisfaction as constantly uniting our zealous endeavours to Theirs, in promoting the general good of the whole Country

Our warmest wishes & sincere prayers are constantly offer'd for you and yours.

John Butler
R Hamilton
Jno Burch
Jno. Warren
Jacob Ball
Robt Kerr
Jno. McNabb
P Ball
Ral Clench
Jas Muirhead
Colin McNabb
B Brady
Geo. Forsyth
Jo Ball
G Ball
D Servos
P Ten Broeck
Peter Bradt
Roger Bradt
Augt Jones
Ben Caulay (Canby?)
Jacob Ten Broeck
Geo. Lawe
Adam Vrooman
Isaac Vrooman
Phil. Buck
Peter McMachan

Thos. Butler
Willm Dickson
W Johnson
J W Crooks
Archd Cunningham
J Edwards
Jo. P Clement
Jos'p Clement
W B. Sheehan
John Powell
Jacob Servos
Ben Pawling
Jesse Pawling
Robt Nelles
Andrew Bradt
Nathl Petit
Wm Dunbar
Thos. McMicking
Donald Rosse
Geo Chisholm
David Secord
Peter Secord
James Jerdick
Robt Campbell
John Hainer
John Reid
John McEwan

Niagara 24th Feby 1792

Endorsed—In Lt Govr Simcoe's of
28 Augt. 1792

(Q 278, pp. 133-5)

Proceedings of Land Board

"Land Board Lenox, 5th March, 1792

"Present Lieutenant Colonel John Butler Robert Hamilton John Burch, John McNabb, Robert Kerr Esquires Lieutenant Pilkington Royal Engineers.

Several petitions were presented and read at the Board praying for grant of lands on the North Side of the Lake in the Township of Dublin and neighbourhood of Toronto. The Board defer granting these lands, and ordered the petitions to remain until it is known what reservations Government may think proper to make, after which those who applied first will be preferred.

"The Board proceeded to grant certificates of location to such of the Settlers as attended and agreed to meet on every Monday at 10 o'clock for the despatch of business. Adjourned."

An enquiry having been directed into the validity of the purchase of lands by Oliver Phelps from the Indians in May, 1788, Brant and Butler had been involved the following deposition was made by the Reverend Samuel Kirkland apparently at the desire of the purchaser.

DEPOSITION OF THE REVEREND SAMUEL KIRKLAND

CITY OF PHILADELPHIA, PENNSYLVANIA SS

This fifth day of May, in the year of our Lord one thousand seven hundred and ninety-two, before me Clement Biddle, esquire, notary public of the city of Philadelphia, in the commonwealth aforesaid, appeared the reverend Samuel Kirkland, missionary to the Oneida nation of Indians, and being of full age, did, on his solemn oath, depose and say, that in the month of May, in the year of our Lord one thousand seven hundred and eighty-eight, he was appointed by the governor of the commonwealth of Massachusetts, to superintend a purchase to be made by Oliver Phelps, esquire, from the five nations of Indians, of the lands ceded to the said commonwealth of Massachusetts, by the state of New York; that in the month of June, in the same year, he, this deponent, accompanied the said Oliver Phelps, for the purpose aforesaid, into that country, where they were met by several principal chiefs of the said nations, at Kanandasago, who invited and conducted the said Oliver Phelps and his deponent to their council fire, at Buffaloe creek. That the said Oliver Phelps and his deponent were there met in full council by all the principal chiefs and warriors of the five nations; that after several days were spent in agreeing on the quantity and boundaries of the land to be sold and conveyed by them to the said Oliver Phelps, the same were unanimously agreed on; that the said Oliver Phelps then enquired of them what price or compensation he must make them for the said lands, and they answered him, that they were willing to part with them at the same price, in proportion to the quantity, as they had leased the whole country for to the Yorkers—to this captain Brant, as Indian chief, objected, and said he thought they should have as much for the lands now sold to Mr. Phelps, and the Yorkers, as they had formerly leased the whole country for to the Yorkers. To the terms proposed by captain Brant, the said Mr. Phelps consented, and it was then and there agreed, that captain Brant, colonel Butler, and this deponent should apportion the price aforesaid, and determine what sum should be given by him, (the said Phelps) and what sum to the Yorkers, who at this time purchased a lease of the land to which the Yorkers had formerly agreed to give for the whole country, including that part of it, which the Indians at this time reserved to themselves that the said captain Brant, colonel Butler, and this deponent having been agreed on as arbitrators with the unanimous consent of the same Oliver Phelps and the said Indian chiefs and warriors, they proceeded to fix the said apportionment, and the price agreed to be given by the said Oliver Phelps for the lands so said to be purchased by him as aforesaid, and unanimously fixed the same at the price, or sum of five thousand dollars, to be paid annually and every year, forever, [illegible] these terms were agreed to by the said Oliver Phelps, and by all the said principal chiefs and warriors; that an instrument of conveyance for the said land so as aforesaid purchased by the said Mr. Phelps, was then drawn up and prepared, bearing date the Eighth day of July, one thousand seven hundred and eighty-eight, and also two other instruments of writing for securing the payment of the said price or consideration money so as aforesaid agreed to be given; that the said instruments of writing were severally [illegible] and also by interpreted to the said Indians [illegible] by this deponent [illegible] the presence of several gentlemen [illegible] and after being well understood by [illegible] agreed to were duly signed [illegible] the business was fairly conducted [illegible] threats of any kind being used [illegible] to the contrary suggested; and [illegible] since found the chiefs and [illegible] five nations (captain Ohel only excepted) [illegible] manner of the said Mr. Phelps, and favourably of [illegible] and further this deponent saith not

SAMUEL KIRKLAND Missionary

Sworn the 5th of May 1792, before me
Quod attestor
CLEMENT BIDDLE notary public

FROM AUGUSTUS JONES TO JOHN COLLINS

Nassau, 15th June, 1792

Sir

Inclosed is a charge of expences incurred at surveying of Lenox &c. including the last six months amounting in all to eighty-six pounds thirteen shillings and a half penny currency accompanied with the necessary [illegible] you here which I trust you will find right and must beg of your interest in settling the same

A plan of the town of Lenox according to the survey I herewith transmit. It does not extend so far back as our former one proposed owing to Colonel [illegible] and some others who live in rear of and refuse giving up their possessions in consequence of which the Land Board directed me (for the Present) to extend the survey only one mile back from the river bank a copy of which accompanies this. The field notes thereof as well as the survey on the north shore of the Lake I am now making out and will send by the first opportunity

Your order of the 10th June 1791 for the land at Toronto in favour of Mr Rochblave and others I only received the other day and as the members of the Land Board think their power dissolved by our Governor's late Proclamation relative to granting of lands in Upper Canada, they recommend it to me to postpone doing in respect of said order until I may receive some further instructions.

I am &c.

Augustus Jones, D.P.S.

Hon'ble John Collins Esqr D.S.G.
Quebec.

(District of Nassau Letter Book No. 5 p. 65)

As the Deputy Surveyor General had informed Lieut. Governor Simcoe of the existence of a salt spring near the Fifteen Mile Creek, in what is now the township of Louth, one of his first official acts after assuming office was to order an analysis to be made of the quality of the water

From Thomas Talbot to Augustus Jones

Kingston, July 9th, 1792

Sir

It being necessary for the public service that an analysis should be made of a Salt Spring reported by the Deputy Surveyor General, to be near Niagara. His Excellency Lieutenant Governor Simcoe has directed Mr McDonell to proceed immediately to analyse its quality he will receive particular instructions for this purpose.

At the same time his Excellency thinks it proper for various reasons that a Deputy Surveyor should accompany him. I must therefore beg that you will immediately proceed with Mr McDonell on the object of this mission

You will be pleased to note down as particular as possible the nature of the soil and the country you pass through and any observations that may be serviceable to his Majesty's Government you will communicate in writing.

The mode of Conveyance must depend entirely upon you and in the hiring of boats, axe-men, &c., you must use the utmost economy.

You will repair to your customary duties as soon as this expedition shall be over and be ready to report to his Excellency as soon as he shall arrive at Niagara.

I am &c.

THOMAS TALBOT, Secretary.

To Mr. Jones, Depy. Surveyor
Niagara.

(District of Nassau Letter Book No. 5, p. 66.)

Soon after his arrival at Niagara he took measures to ascertain and mark the correct boundary line of the lands purchased from the Missisaugas by the treaty of 22 May, 1784, and this boundary was duly confirmed by a new treaty on the 7th December 1792.

FROM THOMAS TALBOT TO AUGUSTUS JONES

Navy Hall, Sept. 4th, 1792.

Sir,

You are hereby directed to engage ten chain bearers and axe men on the most reasonable terms they can be had, not exceeding if possible one shilling and six pence Per day Currency each man with an allowance of one shilling and three pence per day to yourself and party for provisions.

And immediately proceed with all diligence to survey and mark a boundary line, commencing at the outlet of Burlington Bay thence a north course 45 d—— to the westward until you strike the Heads or Sources of the River La Tranche now the Thames, however after having proceeded on your said line as far as you may conceive the distance ought to fall on the said Sources, and not having met with them, you will branch off from the said boundary line with such Offsets as may complete a semicircle with four or five radii till you meet the Heads of the said River La Tranche, now the Thames, which you will ascertain by following the said sources or waters till you are well assured you have hit the said River, after which you will return to Niagara, having regard in other matters, minutes and journals to the general and existing instructions which you may heretofore have had from the Surveyor General's Office.

THOMAS TALBOT, Secretary

Mr. A. Jones, D.S.

(District of Nassau Letter Book No. 5, p. 73.)

TREATY WITH MISSISSAUGAS

J Graves Simcoe

THIS INDENTURE made at Navy Hall in the County of Lincoln in the Province of Upper Canada on the Seventh day of December in the year of our Lord One thousand Seven Hundred and Ninety Two BETWEEN Wabakanyne Wabanip, Kautabus, Wabaulahip and Mattatow—on the one part AND our Sovereign Lord GEORGE the third by the Grace of God of Great Britain France and Ireland King Defender of the faith &c &c on the other part WHEREAS by a certain Indenture bearing date the Twenty second day of May in the year of our Lord One Thousand Seven Hundred and Eighty four made between Wabakanyne, Nanaibesure, Poquan, Nanayhawestrawr Papamaw Tabendaw Sawainchik, Peasanish, Wapamauchugum, Wapamaojhqua, Sachems War Chiefs and principal women of the Messissague Indian Nation on the one part and our said Sovereign Lord George the Third King of Great Britain France and Ireland of the other part It was Witnessed that the said Wabakanyne and the said principal Chiefs and women above named for and in Consideration of the Sum of Eleven Hundred and Eighty pounds Seven Shillings and four pence of lawful money of Great Britain to them the said Wabakanyne, Sachems, War Chiefs, and principal women in hand well and truly paid did grant bargain sell alien release and confirm unto His said Majesty his Heirs and Successors all that tract or parcell of Land lying and being between the Lakes Ontario and Erie beginning at Lake Ontario four Miles South Westerly from the point opposite to Niagara fort known by the name of Messissague Point and running from thence along the said Lake to the Creek that flows from a small Lake into the said Lake Ontario known by the name of Washquarter from thence a North Westerly course until it strikes the River La Tranche or New River thence down the Stream of the said River to the part or place where a due South course will lead to the mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid River La Tranche following the South course to the mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the nation of Messissague Indians and from thence along the said

Purchase to Lake Ontario at the place of beginning above mentioned together with the Woods, Ways, paths, Waters, Watercourses and appurtenances to the said tract or parcell of Land belonging To have and to hold unto our said Sovereign Lord the King His Heirs and Successors for Ever as in and by the said Indenture will more fully and at large appear AND WHEREAS at the time of executing the said Indenture the boundaries of the said parcell of Land were on one side described by an imaginary line running from the small Lake Washquarter in a North West Course until it strikes the River but from an actual Survey it has been discovered that a line from the said Lake Washquarter carried on a North Westerly course will not strike the said River La Tranche And Whereas it is necessary and expedient that the boundary lines of the said Parcell of Land sho'd be more accurately laid down and described NOW this Indenture Witnesseth and the Wabakanyne, Wabanip Kautabus Wabaneship and Mattatow do hereby acknowledge and declare that the true and real description of the said tract or parcel of Land is bargained sold aliened and transferred by and to the parties aforesaid is all that tract or parcel of Land lying and being between the Lake Ontario and Erie beginning at Lake Ontario ten miles South Westerly from the point opposite to Niagara fort known by the name of Messissague point and running from thence along the said Lake to the Creek that falls from a small Lake known by the name of Washquarter into the said Lake Ontario and from thence North Forty five degrees West fifty Miles, thence South forty five degrees West Twenty Miles and thence South until it strikes the River La Tranche then down the Stream of the said River to the part or place where a due South Course will lead to the Mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid River La Tranche following the South Course to the mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the said Nation of Messissague Indians and from thence along the said purchase to Lake Ontario at the place of beginning as above mentioned together with all the Woods Ways paths Waters watercourses and appurtenances thereunto belonging AND therefore the said Wabakanyne Wabanip, Kautabus Wabaneship and Mattatow for and in consideration of the said Sum so advanced as aforesaid and for the further consideration of five shillings of lawful money of Great Britain to them the said Wabakanyne Wabanip Kautabus, Wabaneship and Mattatow in hand duly paid at and before the sealing and delivery of these presents and for the better ratifying and confirming of the heretofore recited Indenture have granted bargained sold and confirmed and by these presents do grant bargain sell and confirm to his Britannick Majesty his Heirs and Successors ALL that tract or parcell of

Land lying and being between the Lakes Ontario and Erie beginning at Lake Ontario four Miles South Westerly from the point opposite to Niagara fort known by the name of Messissague point and running from thence along the said Lake to the Creek that falls from a small Lake known by the name of Washquarter into the said Lake Ontario and from thence North Forty five degrees West fifty Miles thence South forty five degrees West twenty Miles and thence South until it strikes the River La Tranche then down the stream of the said River to that part or place where a due South Course will lead to the mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid La Tranche following the South Course to the Mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the nation of Messissague Indians and from thence along the said purchase to Lake Ontario at the place [of] beginning as above mentioned together with all the Woods Ways paths Waters Watercourses and appurtenances thereunto belonging To have and to hold all and singular the said Tract or parcel of Land with its appurtenances unto his Britannick Majesty his Heirs and Successors for Ever AND WHEREAS at a conference held by John Collins and William R. Crawford, Esqre. with the principal Chiefs of the Messissague Nation Mr John Rousseau Interpreter it was unanimously agreed that the King should have a right to make roads thro' the Messissague Country that the Navigation of the said Rivers and Lakes shall be open and free for his Vessels and those of his Subjects, that the King's Subjects shod carry on a free trade unmolested in and thro' the Country NOW this Indenture doth hereby ratify and confirm the said conference and agreement had between the parties aforesaid giving and granting to his said Majesty a power and right to make roads thro' the said Messissague Country together with the Navigation of the said Rivers and Lakes for his Vessels and those of his subjects trading thereon free and unmolested IN WITNESS whereof the Chiefs on the part of the Messissague Nation And His Excellency John Graves Simcoe, Esqr Lieutenant Governor of the said province &c &c &c on the part of his Britannick Majesty have hereunto set their hands and Seals the day and year first above written in the presence of

John L.S Butler totem Wabakanyne
R— L.S. Hamilton totem Wabanip
Robt L.S Kerr totem Kautabus
Peter L.S. Russell totem Wabaninship
John L.S McGill totem L.S. Mattotow
David William Smith L.S
L.S. J Graves Simcoe

Endorsed—Dated the 7th Decr 1792

The Messissague
Nation
to
His Britannick
Majesty

Deed of ffeofment

N

"Ducit, Amor Patriae" B

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake, Ontario

No. 42

RECORDS OF NIAGARA in the days of Commodore Grant and Lieut.-Governor Gore

1805 - 1811

Collected and Edited
by
BRIG. GENERAL E. A. CRUIKSHANK

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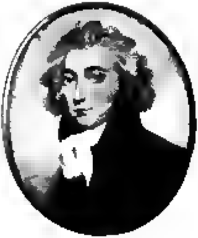

CAPTAIN WILLIAM CLAUS
Aged 27

Superintendent General
Indian Affairs
1805—1826

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No 42

1805–1811

Collected and Edited
by
BRIG GENERAL E. A. CRUIKSHANK

Published by the
NIAGARA HISTORICAL SOCIETY
93

RECORDS OF NIAGARA

1805-1811

* * *

The sudden death of Lieut. Governor Hunter at Quebec on 21st August, 1805, left the government of Upper Canada without a chief as he had steadily refused to nominate an administrator during his absence in the Lower Province. News of his death was received at York about ten days later. When Simcoe applied for leave of absence on the 1st of December, 1795, he had recommended Hon. Peter Russell as the senior Executive Counsellor (next to Roman Catholick) for appointment as administrator and his recommendation had been approved. He called the members of the Council residing at York together at once, expecting to be recognized as president, but to his great surprise and disappointment found that Chief Justice Allcock announced his opinion that Alexander Grant, whose name preceded that of Russell in the list of Executive Councillors named in the royal instructions, was the senior, although Russell had taken the oath before him. The other members of the council concurred and Russell reluctantly assented but did not conceal his discontent at being required to act in a subordinate position to that which he had formerly held. As Grant was then senior naval officer on Lake Erie and lived at Amherstburg, a message was sent to him to come to York and administer the affairs of the province. When Hunter's death became known in England little time was lost in appointing Francis Gore, then governor of Bermuda, to succeed him as Lieutenant Governor of Upper Canada. His commission was dated on the 22nd of January but he did not assume the administration until the 25th of August following.

Grant's term of office consequently lasted a little less than a year. He seems to have carefully consulted the council in all matters of the least importance and Russell generally took the chair as presiding councillor. The chief justice was soon after transferred to Lower Canada and Justice Thorpe, who had recently been transferred to Upper Canada from Prince Edward Island, began to intrigue and make complaints to the Colonial Office, stating that there was no governor, no general, no bishop, and no chief justice in the province, and owing to a "cabal" the Council had selected a man to act as administrator who did not appear to be the oldest member and was inefficient. Both he and Justice William Dummer Powell, who was his senior, applied for the vacant office of chief justice. There was a noticeable lack of good feeling amoung the chief officials. The following petition shows that the act regulating the sale of spirituous liquor had caused some local discontent.

THE PETITION OF LANTY SHANNON AND OTHERS

To the Honorable Provincial
Parliament of Upper Canada

We the subscribers, Inhabitants of the said Province and faithful subjects to His Majesty, and at all times ready and willing to support the operative laws in his Dominions and being possessed of that unalienable right of free men to make known to our law makers and rulers such grievances as we may think we labour under, do beg leave under mature consideration and confidence of the truth and propriety thereof, to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is not so happily calculated as in our opinion may be for the general good of His Majesty's subjects, for many are under a necessity at times for some of that liquor but either for want of abilities or from principles of prudence are prevented from receiving those comforts of the country to which their hard labour entitles them.

We beg leave further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon as in our opinion few retailers or Inn keepers would have any objection to an alteration of said law.

The limits of this Petition will not give an opportunity to state all the reasons in support thereof which will actually be in your possession.

We therefore most humbly pray that Your Honors would take this subject into your wise consideration and repeal said law in such a manner that the distillers may sell one gallon or otherwise order and direct so that the law touching the same may be, as all laws should be, for the general benefit of the public weal, and as in duty bound we shall ever pray

LANTY SHANNON, Inn keeper
EZEKIEL WOODRUFF
SAM'L VAN WICK, Inn Keeper
JOHN FRALICK
his
JOHN X CAMP
mark
and fifty six others

The promoters of this petition were residents of the township of Stamford, of which Ezekiel Woodruff was clerk continuously from 1797 until 1819. This petition and the one following are undated but were read in the Legislative Assembly on the 12th February, 1805.

Another petition from residents of the townships near the head of Lake Ontario voiced what seems to be well founded dissatisfaction at the administration of the act for the improvement of public roads.

THE PETITION OF INHABITANTS OF THE DISTRICT OF NIAGARA

To the Honorable the Legislative Council and House of Assembly for the Province of Upper Canada

Humbly prays,

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and roads throughout this Province and make such alterations or amendments to the same as to them in their wisdom may appear meet. Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways, the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws, and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads, and nothing mandatory or compulsory on them to act when required, and yet it would be unfair that those gentlemen who do sacrifice much of their time to their duty as Justices should be forced to leave their homes five days in acting as Commissioners without an adequate allowance being made them for their trouble and expense, and as many of those gentlemen would probably not wish to act in the line of Commissioners.

Your Petitioners are therefore of the opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be

overseers or Commissioners of the Highways in each and every District, and that an allowance should be made them from the different District Treasurers to be raised by a tax for that immediate purpose, making it compulsory on them on all occasions when thereto required to lay out, alter or amend any road or roads throughout their respective District or Division. However, all this is submitted to the Honorable the Legislature for their consideration, which Your Petitioners pray may meet with due and mature deliberation.

And your Petitioners as in duty bound will ever pray.
JOHN PETTIT
LEVI LEWIS
RICHARD GRIFFIN
WM. KENNEDY SMITH
and fifteen others.

John Pettit resided in Saltfleet, Richard Griffin in Grimsby and William Kennedy Smith in Blenheim. Levi Lewis was elected one of the members of the Legislative Assembly to represent the first riding of Lincoln and the county of Haldimand at the general election in 1808.

The removal of the offices of the provincial government from Niagara to York had diminished the importance of the town but it still continued to be the headquarters of the officers commanding the troops and Fort George was the principal military post in the province. From 1796 until the end of August, 1802, the garrisons of the frontier posts were furnished by the second battalion of the Royal Canadian Volunteers. They were then taken over by the 49th Regiment commanded by Lieutenant-Colonel Brock, which a few years later was relieved by the 41st under Lieutenant-Colonel Henry Procter, succeeded in turn by the 100th, temporarily under command of Major Christopher Hamilton. William Claus had succeeded Alexander McKee as deputy superintendent general of Indian affairs and continued to reside at Niagara where councils with the Six Nations and Missassagas were sometimes held.

Small detachments of soldiers were stationed at Queenston, Chippawa and Fort Erie for the protection of stores and to conduct their transportation between the lakes.

Some letters from Hon. Robert Hamilton to his father-in-law, John Askin of Strabane near Sandwich, have been preserved and contain some information of historical interest.

FROM ROBERT HAMILTON TO JOHN ASKIN

Dear Sir,

This will be handed to you by your Grandson Robert.

my eldest boy[1] now on his Way to Michilimac to spend a year and live with my kinsman Robert Dickson.

You Will perhaps be surprised at my sending my eldest son into that Country but the young Man Wishes it—And I do think the field a very fine and certainly a very large one for Mercantile Speculation—He may remain a few days at your place until a vessell shall sail for Mackinac and in directing him to make your house his head Quarters I am convinced I do not exceed in using freedom with you—

Mrs. Hamilton requests to join me in best respects to Mrs. Askin & all your pleasant family.

I am Dear Sir
yours very sincerely.
R. HAMILTON

John Askin Esqr

Queenston May 16 1805.
(Askin Papers. Canadian Archives.)

The preface to a book rather cumbrously entitled "Travels through the Canadas, containing a Description of the Picturesque Scenery on some of the Rivers and Lakes, with an account of the Productions, Commerce, and Inhabitants of those Provinces to which is subjoined a Comparative View of the Manners and Customs of several of the Indian Nations of North and South America. By George Heriot, Deputy Post Master General of British North America. Illustrated with a Map and Numerous Engravings from Drawings made at the Several Places by the Author" is dated at Quebec on 26th August, 1806. His visit to Upper Canada appears to have been made about a year before and a handsome quarto edition of his book was published in London in 1807.

His description of what he saw of the Niagara District is fairly full and interesting as he was a careful observer.

"On the western bank, about a mile higher up, the British fort is situated on ground several feet higher than the last [Fort Niagara]. It is likewise constructed of earth and cedar pickets, and the buildings contained in it are executed with much neatness, taste and accommodation. On the border of the river, and beneath the fort, there are several buildings, consisting of store-houses and barracks, one of which is called Navy Hall, and is contiguous to a wharf, where vessels load and unload. A swamp in the vicinity becomes at particular seasons, from the stagnated vapours exhaled from it, prejudicial to the health of those whose residence is by the river, and sometimes to that of the troops in the garrison. A plain, whose extent in every direction is nearly a mile, intervenes between the town of Niagara and Fort George, the name of the fortress already described. The houses are in general composed of wood, and have a neat and clean appearance; their present number may amount to near two hundred. The streets are spacious, and laid out at right angles to each other, so that the town when completed will be healthful and airy. On Missisague Point, which is on the west side of the mouth of the river, a light-house for the guidance of vessels which navigate the lake, has lately been erected. Near this point white fish and black bass are caught in great numbers.

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[1] Born at Fort Niagara in 1787, member of the Legislative Assembly for the third riding of Lincoln 1820-1824, died in 1856.

"In proceeding from the town of Niagara to the southward, along the banks of the great river, many attractions combine to present pleasure and amusement to the mind of the observant traveller. The soil, the variety of situation, and the improvements of that part of the country, seem to surpass every impression which information alone might produce in its favour. The population is already considerable, and is rapidly augmenting. Families from the United States are daily coming into the province, bringing with them their stock and utensils of husbandry, in order to establish themselves on new lands, invited by the exuberance of the soil, the mildness of the government, and an almost total exemption from taxes. These people either purchase lands from the British subjects to whom they have been granted, or take them upon lease, paying the rent by a certain portion of the produce.

"Many farmers from the neighbouring states, who are wealthy, procure grants of their own, and taking the oaths of allegiance, become subjects of the crown of Great Britain.

Men born and educated in the northern states of America, are of the greatest utility to the settlement of a new country, as they are endowed with a spirit for adventure, activity, industry, and perseverance, rarely to be equalled. Nor are they deficient in the power of inventive faculty, particularly when applied to mechanical objects. In travelling, the waggon is by many made to serve the end, not only of a house during the journey, but likewise of a vessel to cross the rivers which are not fordable. The seams of the body are secured against the admission of water, and when applied to the latter purpose, the wheels are taken off; it is conducted by rowing to the opposite shore, and the horses and cattle are made to follow it by swimming. The settlers who bring into the province the largest property in money and stock, generally come from the back parts of Virginia, and even from the Carolinas.

In the use of the axe the Americans display uncommon

dexterity, and hew down the largest trees of the forest with admirable address and expedition. Retaining no attachment for any particular situation, an American farmer, who is not of the first class, will sell his lands, after having cleared and brought them to a state of cultivation, if he can procure for them a reasonable profit for his toils. He then decamps, launches into the woods in quest of a new possession, and erects another habitation.

"The immense tracts of woods, filled with oak timber, which every where present themselves, are certain indications of the fertility of the soil. The common produce of the fields is, in general, from thirty to forty for one in wheat or any other grain; and portions of land which have, for upwards of sixteen successive years, yielded their harvest without the aid of manure, with forty to one, to reward the industry of the husbandman.

"The winters in this part of the country are inconsiderable, either for duration or severity; the snow seldom remains on the ground for a longer period than five or six weeks.

"About the year 1800, before the means of transport to the lower province became facilitated and improved, the inhabitants were at a loss to dispose of the produce of their farms. Since that period many thousand barrels of flour, quantities of salted beef and pork, butter and cheese, potash, and numbers of live cattle, have annually been conveyed to Lower Canada, through the rapids and cascades of the Saint Lawrence, upon rafts of timber containing from five hundred to eight hundred barrels each, and upon scows, a superior species of raft constructed of plank, without receiving from the water any material injury. The conducting of that mode of transport, although at first difficult and unwieldy, has now become more familiar, and immense quantities of produce continue to flow every year into the lower province.

There are attached to settlements on the borders of the Saint Lawrence, advantages of transport superior to those of any inland country in America. The soil is unquestionably of the first quality, and is sufficiently varied by swells and ridges to take off that sameness of effect which would result from a dead level country. Winter wheat is produced with the greatest certainty. The grain is heavier and more plump than any that is raised in the territories of the United States, except such as border upon this immense river. Grass is very natural to this country, and cattle fatten in summer upon the wild growth. Hemp and flax are produced in great perfection. The timber consists of oak, pine in all its varieties, sugar and curled maple, beech, basswood, hickory, black and white ash, masa fras, black and white birch, elm, walnut-tree, butternut-tree, cherry tree, and a variety of other woods.

"The winter season is employed by the farmer in making staves for casks, squaring timber, or preparing plank and boards, all of which may be disposed of to advantage in Montreal. In the spring the timber is formed into rafts, which are loaded with produce and conducted down the river with great certainty, at any period during the summer season, without the inconvenience of waiting for a freshet, or an increase of water by rains, which can have but small influence on so vast a body of water. This circumstance alone adds value to the establishments on its borders, for on all other rivers, except those of the first magnitude, they who mean to conduct rafts down their streams are compelled to be ready at the moment of a swell of the waters, and if they be so unfortunate as not to be prepared, an opportunity of carrying to market the productions of their farms becomes lost to them for the whole year; it likewise not unfrequently happens with many rivers, that the spring freshets are not sufficiently high to render it safe to venture down them. The farmer on the Saint Lawrence is assured he can send a barrel of flour for four shillings, and a barrel of potash for eight shillings, to the ship which comes from Europe.

"In many branches of husbandry, the settlers of this country seem to display a superior degree of skill, and fields of corn are here to be seen as luxuriant and fine as in any part of the universe.

"The mode of commencing a settlement is by cutting down the smaller wood, and some of the large trees, collecting them into heaps and burning them. Some of the remaining trees are girdled, by cutting a groove all around through the bark, to impede the sap from mounting, and thus deprived of nourishment, the branches cease to grow, and the leaves decay and fall to the ground. After passing a harrow over the soil in order to turn it up, the grain is sown, the harrow is again used, and thus left without any further trouble, the newly-cleared ground yields a copious increase.

A stranger is here struck with sentiments of regret on viewing the numbers of fine oak trees which are daily consumed by fire, in preparing the lands for cultivation.

The houses, with few exceptions, are here constructed of wood, but with a degree of neatness and taste, for which we might look in vain among the more ancient settlements of the lower province.

"The improvements of every description, in which for a few years past the province has been rapidly advancing, have in some situations, divested it of the appearance of a new-settled colony, and made it assume the garb of wealth, and of long-established culture. The roads in the settled part of the country are, in the summer season, remarkably fine, and two stage-coaches run daily between Niagara and Chippawa, or Fort Wellard, a distance of eighteen miles.

"The scenery from Niagara to Queenstown is highly pleasing, the road leading along the summit of the banks of one of the most magnificent rivers in the universe, and in ascending the mountain, which is rather a sudden elevation from one immense plain to another, where the river becomes lost to the view, the traveller proceeds through a forest of oak-trees, until he becomes surprised, and his attention is arrested by the falls presented to the eye through openings now cut in the woods, on the steep banks by which they are confined.

Queenstown is a neat and flourishing place, distinguished by the beauty and grandeur of its situation. Here all the merchandise and stores for the upper part of the province are landed from the vessels in which they have been conveyed from Kingston, and transported in waggons to Chippawa, a distance of ten miles, the falls, and the rapid and broken course of the river rendering the navigation impracticable for that space. Between Niagara and Queenstown the river affords, in every part, a noble harbour for vessels, the water being deep, the stream not too powerful, the anchorage good, and the banks on either side of considerable altitude.

The mountain already noticed is formed by the land assuming a sudden acclivity of upwards of three hundred feet from one horizontal plain to another, and extends from east to west for a considerable way, the river holding its course through its centre, and cutting it asunder. The perpendicular banks on either side are near four hundred feet in height, from the level of the water below to their summit. Their strata are similar, not only in altitude but in substance. A little way below the bank on which the town is placed, there is a spot rising about twenty feet from the side of the river, upon whose surface a quantity of stones is placed, which appears to have been deposited there for a series of years, and which have been evidently formed in currents of water.

"Since the settlement of the country, the river has not been perceived to rise to that height. These circumstances seem to afford probable ground for conjecture, that the stream which now flows through the deep chasm of the mountain, did at some former period, throw itself from near the summit and after sweeping away the rocks and soil, form its present profound and rugged channel, extending upwards of nine miles from the precipice, whence the wide and stupendous flood continues now to fall.

"In tracing the course of the river higher up from Queenstown, many singular and romantic scenes are exhibited; the whirlpool, which is about four miles from that place, is a basin formed by the current in the midst of lofty precipices clothed with woods. Previous to its entering this bay, the stream drives with awful roar, its broken, interrupted waters over a sudden slope upwards of fifty feet in height, and thus proceeds foaming past the bed it afterwards takes, which being around the angle of a precipitous promontory, its weight and velocity oblige it to pass on, and to make the circuit of the basin before it can flow through that channel. It has apparently made an effort to break through the bank to the westward, but the rock was probably too solid. The strata to the northward were found more penetrable, and through these it has forced a passage. A tide rising to the height of two and a half feet, and again falling every minute, is observable all round the basin; this phenomenon may be produced by the impulse communicated to it from the torrent, which causes it alternately to swell, and to recoil from the beach.

"This gulph usually contains a quantity of floating timber which continues to revolve in the eddy about once in half an hour, and will some times remain in this state for months, until it be drawn off by the current. At one particular part, all floating substances are made to rise on one end, after which they are swallowed down by the vortex, and for a time disappear.

The falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene, the most wonderful and awful which the habitable world presents. Nor can any drawing convey an adequate idea of the magnitude and depth of the precipitating waters. By the interposition of two islands, the river is separated into three falls, that of the Great Horse shoe on the west or British side, so denominated from its form, and those of Fort Slausser and Montmorenci on the eastern or American side. The larger island is about four hundred yards in width, and the small island about ten yards. The three falls, with the islands, describe a crescent, and the river beneath becomes considerably contracted. The breadth of the whole at the pitch of the waters, including the curvatures which the violence of the current has produced in the Horse-shoe and in the American falls, may be estimated at a mile and a quarter, and the altitude of the Table Rock, from whence the precipitation commences,

is one hundred and fifty feet

Along the boundaries of the river and behind the falls, the elevated and rocky banks are every where excavated by sulphureous springs, the vitriolic acid uniting with the limestone rock, and forming plaster of Paris, which is here and there scattered amid the masses of stone which compose the beach beneath.

"These excavations extend in many places to a distance of fifty feet underneath the summit of the bank.

"Casting the eye from the Table Rock into the basin beneath, the effect is awfully grand, magnificent, and sublime. No object intervening between the spectator and that profound abyss, he appears suspended in the atmosphere.

"The lofty banks and immense woods which environ this stupendous scene, the irresistible force, the rapidity of motion displayed by the rolling clouds of foam, the uncommon brilliancy and variety of colours and of shades, the ceaseless intumescence and swift agitation of the dashing waves below, the solemn and tremendous noise, with the volumes of vapour darting upwards into the air, which the simultaneous report and smoke of a thousand cannon could scarcely equal, irresistibly tend to impress the imagination with such a train of sublime sensations as few other combinations of natural objects are capable of producing, and which terror lest the treacherous rock crumble beneath the feet by no means contributes to diminish.

"The height of the descent of the rapids above the great fall is fifty-seven feet eleven inches. The distance of the commencement of the rapids above the pitch, measured by the side of the island, is one hundred and forty-eight feet; and the total altitude from the bottom of the falls to the top of the rapids is two hundred and seven feet. The projection of the extreme part of the Table Rock is fifty feet [illegible]

"The large island extends up the river about three quarters of a mile, and the rapids between that and the western banks are much diversified. In one situation near the island there is a fall of about sixteen feet in height, the vapour from which is distinctly visible. Several small islands are formed towards the west side of the river.

From a settlement called Blacht Mills, on level ground below the bank, the rapids are displayed to great advantage; they dash from one rocky declivity to another, and hasten with foaming fury to the precipice. The bank along whose summit the carriage road extends, affords many rich, although partial views of the falls and rapids. They are from hence partly excluded from the eye by trees of different kinds, such as the oak, the ash, the beech, fir, sassafras, cedar, walnut, and tulip-trees.

About two miles farther down the side of the river, at a situation called Bender's, an extensive and general prospect of the falls, with the rapids and islands, is at once developed to the eye of the spectator. On descending the bank, which in several places is precipitous and difficult, and on emerging from the woods at its base, a wonderful display of grand and stupendous objects is at once expanded to the view. From amid immense fragments of rock and lacerated trees, which have descended in the current of the waters, the eye is directed upwards toward the falls, that of Fort Slausser being on the left, and the Great Horse-shoe fall immediately in front. On the right is a lofty bank profusely covered with diversity of foliage, beyond which the naked excavated rock discloses itself. As the river here contracts to the breadth of about half a mile, the fall on the American side becomes nearest to the eye, and its waters tumble over a rock which appears to be perpendicular, and nearly in a straight line across to the island, the curvature being from the point now described not perceptible. The rock is, however, excavated, and at the pitch has been worn from the continued abrasion by the fall into a serrated shape, whence the masses of foam pour down in ridges which retain their shape from the summit to the bottom. Numbers of stones which have been torn away from the precipice, are accumulated through the whole extent below, and receive the weighty and refulgent clouds of broken waters, which again dash from thence into the basin.

The salient groups in which, with gradations almost regular, the tumbling waters are precipitated, excite the awe and admiration of the spectator; the eye follows with delight the masses of lustrous foam, varied by prismatic hues, and forming a wide and resplendent curtain.

About half a mile from hence, in descending the course of the river, and behind some trees which grow upon the lower bank, is placed the Indian ladder, composed of a tall cedar tree, whose boughs have been lopped off to within three inches of the trunk, and whose upper end is attached by a cord of bark to a living tree; the lower end is planted amid stones. It is upwards of forty feet in length, and trembles and bends under the weight of a person upon it. As this is the nearest way to the riverside, many people descend by the ladder, led either by curiosity, or for the purpose of spearing fish, which in the summer are found in great abundance in this vicinity.

"The spear in use is a fork with two or three prongs, with moving barbs, and fixed to a long handle. The fisherman takes possession of a prominent rock, from whence he watches for his prey, and when it approaches within his reach, he pierces it with his instrument, with an almost inevitable certainty.

"The village of Chippawa or Fort Welland, is situated on each side of a river of the same name, which here joins the Saint Lawrence. A wooden bridge is thrown across this stream, over which is the road leading to Fort Erie. The former fort consists only of a large block-house near the bridge, on the northern bank, surrounded by lofty pickets. It is usually the station of a subaltern officer and twenty-five men, who are principally engaged in conducting to Fort Erie the transport of stores for the service of the troops in the upper part of the province, and for the engineer and Indian departments. After being conveyed by land from Queenstown, the provisions and other articles are here embarked in batteaux.

There are in the village some mercantile store houses and two or three taverns. The waters of the Chippawa are always of a deep brown colour, and are very unwholesome if used for culinary purposes. They enter the Saint Lawrence about two miles above the falls, and although they be frequently broken, and rush into many rapids in their course thither, they seem obstinately to resist being mixed with the purer waters of that flood, and retain their colour in passing over the precipice. The foam produced in their precipitation is of a brownish hue, and forms the edge of the sheet which tumbles over the Table Rock. Their weight and the depth of the descent, mingle them effectually with the water in the basin beneath. The colour of the Chippawa is derived from that river passing over a level country, in many places swampy, and from quantities of decayed trees which tinge it with their bark. It is also impregnated with bituminous matter, which prevents it, until it has suffered the most violent agitation and separation of particles, from incorporating with the more transparent and uncorrupted stream of the Saint Lawrence.

Opposite to the village of Chippawa, the current becomes so powerful that no boat can be ventured into it without imminent danger of being swept away, and lost in the rapids. Between the village and the falls there are three mills; the lower for the manufacture of flour, the two upper mills which are next to each other, and adjoining the road, are for the purposes of sawing timber into boards, and for manufacturing iron. The latter scheme has hitherto failed of success: the logs for the saw mill are conveyed down the current to this situation in a very singular manner. They are cast upon the borders of the Chippawa, and floated down to its mouth, where a reservoir formed by a chain of logs pinned together is made to contain them. In proceeding downwards, in order to avoid being drawn into the vast vortex of the falls, small poles have been fixed together from the reservoir to the mill, floating at the distance of eighteen or twenty feet from the shores. They are retained in their places by poles projecting from the land; and thus the chain of poles, rising and falling with the waters, and always floating on the surface, forms a species of canal, into which the logs are separately launched, and in this manner carried from the reservoir to the mill, a distance of more than a mile.

In the vicinity of the mill there is a spring of water, whose vapour is highly inflammable, and is emitted for a time with a considerable degree of force. If collected within a narrow compass, it is capable of supporting combustion for near twenty minutes, and of communicating to water placed over it in a small confined vessel, the degree of boiling temperature.

To those who are admirers of the picturesque beauties of Nature, it will be almost unnecessary to apologize for the prolixity of description with which the last communication was filled. The subject of the latter part of it, upon which we have already so long dwelt, is at once noble and unique. Let us therefore attempt to pursue it still further, although without the hope of being able to do it justice.

The Saint Lawrence at the confluence of the Chippawa is upwards of a league in width, and is passed to the opposite shore in boats or bateaux, about three quarters of a mile higher up than the village, and by the lower end of Navy Island. The transport of goods by land to Fort Slausser, two miles above the east side of the falls, was formerly conducted from a place opposite to Queenstown. In passing through the cultivated grounds on this border of the river, immense mounds of earth, thrown up by multitudinous colonies of large black ants, are every where observable. The rapids on this branch of the river, although not so extensive, are nevertheless equally beautiful and romantic with those of the western branch. A spot at the distance of fifty yards from the pitch, affords a most advantageous and pleasing display of a scene, which in every point of view is accompanied with sublimity. Trees and rocks form the nearest objects, and between them and the islands a lovely picture is exhibited of broken rapids dashing over the slippery rocks, which are hidden beneath the foaming torrents. Amid the [illegible] of the pitch, a part of the American fall is developed to the view of the spectator, and the

Montmorenci fall is exposed about half way down its depth; the other parts of the eastern fall are concealed, whilst a portion of the waters beneath becomes disclosed. The inequalities of the precipice, which have been formed by the current, are here fully discoverable. Several small isles covered with woods appear near the central island, and add to the variety of the scene, which foliage of diversified verdure, overtopped here and there by the towering cedar, contributes to enliven and to adorn. The Horse-shoe fall beyond the whole, delights the mind with the rapidity of its movements, and the animated effulgence of its hues. From the station which we have now endeavoured to describe, is afforded the most perfect idea of the crescent formed by the three falls, the islands, and the Table Rock.

"To descend the perpendicular cliff on the eastern bank is attended with difficulty, and with some degree of peril. Few of the roots and vines which formerly hung downwards from the trees, any longer remain. In descending the craggy steep, the adventurer must cling to the rock with his hands and feet, moving onward with great caution. On his arrival at the base of the cliff, he is struck by a development of scenery, yet more awfully stupendous than that which had before been presented to his contemplation. Here nature, agitated by the struggles of contending elements, assumes a majestic and tremendous wildness of form. Here terror seems to hold his habitation. Here brilliancy, profundity, motion, sound, and tumultuous fury, mingle throughout the scene. The waters appear to pour from the sky with such impetuosity, that a portion is thrown back in clouds of vapour. The mind, expanded by the immensity and splendour of surrounding objects, is disposed to give vent to the sensations of awe and wonder by which it is impressed, in ejaculations similar to that of the Psalmist of Israel: 'Great and marvellous are thy works.'

"The huge fragments of rock, which have been thrown from the summit of the precipice by the irresistible strength of the current, and which have fallen upon each other in towering heaps beneath, suggest to the imagination an idea of what may take place previous to the general consummation of this terrestrial scene, when ancient monuments of marble, under which princes of the earth have for ages slept, shall be burst asunder and torn up from their foundations.

Can so vast, so rapid, and so continual a waste of water never drain its sources? These are inexhaustible, and the body which throws itself down these cliffs, forms the sole discharge of four immense inland seas.

"The effect produced by the cold of winter on these sheets of water thus rapidly agitated, is at once singular and splendid. Icicles of great thickness and length are formed along the banks from the springs which flow over them. The sources impregnated with sulphur, which drain from the hollow of the rocks, are congealed into transparent blue columns. Cones are formed by the spray, particularly on the American side, which have in several places large fissures disclosing the interior, composed of clusters of icicles, similar to the pipes of an organ. Some parts of the falls are consolidated into fluted columns, and the river above is seen partially frozen. The boughs of the trees in the surrounding woods are hung with pearly icicles formed from the spray, and reflecting in every direction the rays of the sun, produce a variety of prismatic hues, and a lustre almost too refulgent to be long sustained by the powers of vision.

"That part of the Saint Lawrence, which is called the Niagara river, issues from the eastern extremity of Lake Erie, and discharges itself into Lake Ontario, at the end of thirty-six miles, after undergoing the most violent agitations through an interrupted and sinuous channel. At its commencement from the former, its breadth is not more than half a mile, but it becomes afterwards enlarged, and separated into two branches by an island fifteen miles in length. The current is powerful, and the navigation for vessels is rendered intricate by innumerable hidden rocks. In the vicinity of Navy island there are two smaller isles.

"The western bank between Chippawa and Lake Erie is almost entirely settled, and the road is level and in most places good. The Americans have on their side of the river a road extending from Fort Slausser to Buffalo creek, a settlement which contains several Indian and some white families. At a spot called the Black Rock, at the lower end of the rapids, a fort has been traced, and partly constructed, within the limits of the United States.

Lake Erie is near three hundred miles in length, and seven hundred and ten miles in circumference. It derives its name from the Erien or Cat, a native tribe which once dwelt on its borders. The landscape at the entrance exhibits a pleasing variety, consisting of water, points of land, level countries, and distant mountains. The coasts are clothed with oak, ash, chestnut, apple, and cherry trees. The south-east shore abounds in game and wild animals. The islands which it contains are Bass islands, Isle Bois blanc, Cunningham's island, East Sister, Green isle, Middle island, Middle Sister, Point Pelee isle, Saint George's island, Ship island, Sandusky island, Turtle island, and West Sister.

"The old fort on the west side of the entrance into the lake, consists of no more than a few houses, a block house of logs, with some habitations for commercial people, and one or two store-houses. A new stone fort in the form of a quadrangle is now constructing on rising ground behind the block-house. A company of soldiers is usually stationed here, and the men are chiefly employed in assisting to conduct the transport of stores. Two vessels in the service of the British government are used in navigating this lake.

"The bottom of the lake consists of lime-stone rock of a bluish colour, with which are mingled many petrified substances, animal as well as vegetable. The lake is much exposed at its northern extremity to gales of wind which occasion its waters to rise to a very considerable height. Vessels are at these periods in some danger of being driven ashore, their cables being often cut asunder by the sharp and flinty edges of the rocks which compose the anchorage.

"At ten miles and a half from the fort, in pursuing the northern coast, is found a promontory which advances into the water about three hundred and fifty yards, and is named Pointe à Binneau, or Abino, affording for vessels a safe anchorage in its neighbourhood. From hence to the grand river is twenty-four miles; a hill in the form of a sugar loaf intervenes, and presents a good land-mark. The townships in the vicinity are rapidly advancing in population and improvements, and several water mills have been constructed. The Chenette, or river Waveney, is eighteen miles more to the westward, and Pointe à la Biche, now Turkey Point, lies about fourteen miles further along the coast. In the townships of Woodhouse and Charlotteville, which are situated on that part of the lake, there is a considerable extent of country thinly timbered, whose cultivation is facilitated from the want of underwood. It exhibits more the appearance of a royal forest in Europe than that of an American wilderness." pp. 150-175

The observations of another traveller, who arrived soon after, are not less instructive from a different point of view.

Robert Sutcliff, a Quaker merchant residing in Sheffield, England, made a prolonged visit to North America in 1804, 1805 and 1806 on commercial affairs. He resided for several months in Philadelphia and travelled extensively in the States of New Jersey, New York, Maryland and Virginia. During this time he kept a careful journal without any thought of publication, which was eventually edited and printed for a friend, W. Alexander, at York in 1811, and has become a rare book. In the fall of 1805 he made a leisurely journey through

New York and entered Upper Canada by way of Batavia and Buffalo, apparently with the object of seeing Niagara Falls:

"11th Month 30th. After breakfasting at Buffalo Town," he wrote, "I crossed the Rapids, about three miles below Lake Erie. These Rapids are a very considerable River, being at this place nearly one mile over, and conveying a vast body of water, which passes in its course from Lake Erie to Lake Ontario. I observed, as I rode along, a number of large fishes that were thrown on shore, and saw many ravens hovering about and devouring them. In travelling upon the banks of the Rapids, for many miles, the roaring of the Falls is heard resembling distant thunder. Being in Upper Canada, which is under our own government, it felt to me something like being in England, and occasioned a pleasing sensation. Here I observed a number of good farm houses, the pastures and wheat looked remarkably fresh and green, and a large fine herd of cattle were grazing in the fields. In conversation I found that many of the inhabitants are of German or French descent. In the afternoon I came to Fanning's[1] Tavern at Chippaway, a town on the Creek of that name. Here is a block house fortification, at which an English garrison is stationed. From the windows of the tavern, clouds of mist are seen rising from the Falls, and the noise of them is so loud, that a person seems to be close upon them, although they are nearly three miles distant. I was informed by several of Fanning's family, that the concussion occasioned by the descent of so large a body of water is such, that on a still summer's evening, a constant tremor of the earth is perceptible, and the loose glass in the windows is so shaken as to produce considerable noise.

"12th Month, 1st. I lodged last night at Fanning's Tavern, where I had as good accommodation as could be desired. In this family I met with a young man[2] who had his education in our society[3] and is a commissioner or surveyor under the English government, for the disposal of lands to new settlers. This young man kindly offered me his company and assistance, in visiting the curiosities in this neighbourhood. However, it being first day[4] and there being no meeting near, I preferred spending the forenoon alone. Therefore immediately after breakfast I walked down to the Falls by myself, the tremendous noise, with the volume of spray and mist arising from them, being a sufficient guide to the spot. The first view of this wonderful cataract is from the principal road, which, though not the most complete, is perhaps as beautiful as any, but being from a situation which is level with the river above the Falls, a considerable part of the cataract is hid from the eye. After taking a circuit of about a mile, the path leads down a steep precipice, which is descended with considerable difficulty, and not without the aid of a long ladder, placed there by a neighbouring planter, as well for his own convenience as for that of strangers. Immediately below the cataract, the river is confined between two steep rocks that form a deep winding valley, through which the waters flow in their course towards Lake Ontario. This valley is terminated by a perpendicular rock of 53 yards in height, which runs across, forming an angle pointing up the river, over which this vast body of water precipitates itself with astonishing rapidity, and with a noise so tremendous that it can scarcely be described. On the top of the rock is a small island, which divides the cataract into two parts, and in such a manner that the greater part of the water pours over the rocks at the extreme head of the valley, and the rest on one side of it. A little above, opposite Chippaway, the river is two miles over; but directly above the falls it narrows to about a mile in breadth. I was informed by Joseph Ellicott[1] and his brother, at whose house I lodged, that they had twice measured the falls, and found them to be 158 feet in height, and about 1400 yards in width from the opposite edges of the river.* I was told by the ferryman, that about 15 miles above the Falls the river was nearly one mile in width, and that, in the middle, it was 40 feet in depth, and, in common, the stream ran at the rate of six miles in the hour. If this be really the case, and I have no cause to doubt it, the quantity of water passing over the Falls, and continually suspended between the top and bottom, may be more than 400,000 tons. If the additional weight and velocity gained by a fall of 158 feet be added, the weight of these prodigious masses of water would exceed three millions of tons. Such an enormous specific gravity falling at once into the gulf below, may bring the account of the Falls being heard, under favourable circumstances, at the distance of 40 or 50 miles, within the limits of credibility.

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[1] John Fanning [2] Probably Malcolm Burwell [3] The Society of Friends or Quakers [4] Sunday

Having reached the bottom of the precipice, and approached as near to the cataract as I could with apparent safety, I sat down, and spent about two hours in contemplating this astonishing natural curiosity, which is said to be the greatest cataract in the world. The tremendous roar arising from the Falls, added to the awful sublimity of the spectacle of such an uncommon body of water rushing headlong from the rock with the beautiful surrounding perspective, altogether form a scene which it is impossible to describe. As the morning was bright and clear, a beautiful rainbow was constantly observable in the clouds of mist and spray that are constantly rising from the water below. Here I held my forenoon meeting, and though no words were uttered, it could scarcely be called a silent meeting, the objects before me loudly proclaiming the power and majesty of the Great First Cause and Creator of all things.

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[1] A noted surveyor in the State of New York.

* Note. This includes both Falls and the intersecting Island, which is about 110 yards over.

"In the afternoon I returned to the inn, and, after dinner was invited by the commanding officer of the English garrison to drink tea with him, and his wife and family, in the fort. I accepted his invitation, and spent the evening with them very pleasantly. This officer (whose name is Tallent[1]) had spent some time in Sheffield, a few years back, and had married his wife at Liverpool; she is an agreeable young woman, and well acquainted with some friends[2] of Liverpool. They had a fine child with them, and upon the whole seemed happier than could be expected in such a situation. They behaved with great kindness to me, and it appeared a gratification to them to entertain an Englishman.

"12th Month, 2d. This morning I had the company of W. S.,[3] a minister of our society, belonging to Pelham monthly meeting, in this neighbourhood. He kindly invited me to his house, to spend a few days with him, but I could not conveniently accept his invitation. In the forenoon I paid another visit to the Falls, and it being a dark cloudy day, the whole view had a more gloomy and solemn aspect. There being none of the glare and glitter of the sunshine, the eye could rest steadily upon it, and, having a pencil and paper with me, I took a sketch of the scene.

In the evening I came to D. P.'s[4] of Black Creek meeting, at whose house I lodged. This is a pleasant situation on the banks of Lake Erie, and D. P.'s establishment presents an agreeable specimen of a Back Wood family. In the room where we breakfasted, was a loom for weaving; in another apartment were spinning wheels, and some of the girls actively platting straw and making it into hats and bonnets for the family. In addition to our tea and toast we had excellent broiled fish taken in the Lake, where they easily procure great quantities. These persons were so situated, that, in their own family, they had the means of procuring nearly all the necessaries, and even many of the luxuries of life. It was a very beautiful sight to see ten fine orderly children sitting round the table with their father and mother, who were still in the prime of life, and living independently of the uncertainties of commerce. The eldest daughter appeared to be about 16 years old. One of the sons, who was but a boy, entertained me with an account of his having lately killed a bear, as it was in pursuit of his father's hogs. The English government, in order to encourage the settlement of Upper Canada, grant to new settlers 200 acres of land, and 50 acres additional for each child, reserving to the crown the minerals and the white pine. D. P. gave me the perusal of his grants, from which I gathered the conditions. Some little expense attends the grants in the fees of office, though but trifling, and their taxes amount to a very small sum per annum for each 100 acres.

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[1] Captain Joseph Tallon of the 41st Regiment, who afterwards was distinguished at the capture of Detroit and the combat at the River Raisin, when he was wounded. [2] Quakers. [3] Perhaps a clerical error for W. L. William Lundy was a leading Quaker in Stamford at this time.

[4] Probably Daniel Pound of Bertie; see Papers and Records of Ontario Historical Society XXVI, p. 273. He brought his children with him into Upper Canada in 1789, and the others had been born in the province.

"12th Month, 3d. I left Black Creek, and the morning being clear and calm, the scenery around was beautiful. After riding about 10 miles on the banks of Lake Erie, I came to Fort Erie, where I got some refreshment at the inn, and proceeding a little farther, I got into the ferry-boat, in company with an old drunken Indian, and his squaw. These poor creatures I had seen the morning before, at the inn, endeavouring to persuade Fenning, the landlord, to exchange spirituous liquors for a piece of printed calico, which the Indian had received as a present from the agent of the British Government in Canada. I was glad to observe that Fenning had the uprightness to refuse taking advantage of this poor creature, which he might easily have done, as the Indian was then in a state of intoxication, and scarcely able to utter anything but 'Whisky,' the name he gave to spirits. I was told in Canada, that many thousand pounds per annum are expended in presents to the Indians to ensure their friendship in time of war, and that the greater part of these presents are exchanged for spirituous liquors, which they use to great excess, many times to the loss of their lives, and always at the expense of their health. (Pp. 152-155.)

Joseph Brant, who had quarrelled with Colonel William Claus, superintendent of the affairs of the Six Nations at the Grand River, and had been deposed from his position as their representative at a general meeting of the chiefs and principal warriors at Buffalo Creek at the end of March, 1805, which he had declined to attend, voiced his discontent and resentment by an appeal to the provincial parliament.

To the Honorable the Commons House of Assembly
in Parliament Assembled &c. &c.

THE PETITION OF CAPTAIN JOSEPH BRANT

Respectfully sheweth

That in the year 1775 when the war between Great Britain and her Colonies had commenced, the Mohawk Nation, always faithful to the cause of the King, took a decided and active part, and leaving their families to the mercy of the enemy brought off the Indian Department through a hostile country into Canada, where their conduct was highly approved by Sir Guy Carleton who, in a public council with the Indians desired them to take up the hatchet and defend their rights; he then solemnly engaged that we should be remunerated for any losses we might sustain during the war.

Some years after, when it was foreseen that the contest was likely to take an unfavorable turn, we stated our situation to the late Sir Frederick Haldimand, then Governor and Commander-in Chief, and requested a confirmation of General Carleton's promise, by which it was understood that the Indians who had lost their lands should receive an equivalent in this country, and at all events have them as fully confirmed as those they were possessed of before the war, and the grant which we afterwards obtained is now before your Honorable House.

The lands thus granted, although from the quantity and situation by no means an equivalent for our losses, we cheerfully accepted in full confidence that they should be our own property, at least as much so as those we had sacrificed by joining the British Standard at the commencement of the war.

After thus obtaining those lands, which are delineated on the map, which is also before Your Honorable House, we, with the approbation of General Haldimand, settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture &c. I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada, by whom it was contemplated to curtail us of a great part of this tract.

Considering ourselves under the protection of his Majesty it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under. Divisions have been fomented amongst the Indians by Mr. Claus, the Deputy Superintendent, which may lead to serious consequences. He has taken the most unjustifiable means to destroy our former trans actions, for which purpose he brought a party of Senecas from Buffalo Creek, to whom he dictated a paper purporting to make void all we had done respecting the lands in question, although he must have known that these Indians who live within the limits of the United States have, in their present situation, no right to interfere in the disposal of our lands. This will appear by referring to General Haldimand's grant.

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property, or that Mr. Claus, through the means he has in his power, should disunite us.

That a small spot of ground of so little consequence to the British Nation should become a matter of contention we cannot suppose to be their intention, but if, unfortunately for us, this should be the case, and if even that small tract is considered as too large for the former services and losses of the Indians, in God's name let them confirm the one half.

We are aware that all representations of this nature should come through the Indian Department, but as they have long since ceased from paying attention to our complaints, we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit.

In behalf of the Indians

JOSEPH BRANT,
York, 14th February, 1806. Agent

This petition was read in the Assembly on Saturday, February 22, and Benajah Mallory, the member for Norfolk and Oxford, at once gave notice of a motion to consider it in committee of the whole House on the Wednesday following. It does not appear that he was entirely disinterested in this action as he had leased fourteen hundred acres of their reserve from the Indians with the intention of smelting lead ore, which was believed to be found upon it in considerable quantities. It was debated in committee on the day named and the next, when a report that "the prayer of the said Petition was entitled to a further consideration and that it be recommended to the House to take it into consideration early in the next Session of Parliament" was adopted. But when parliament again met the petitioner was dead.

A very daring case of housebreaking and robbery caused considerable alarm and excitement and was brought to the attention of the executive government by a report from an influential local magistrate.

FROM ROBERT HAMILTON TO ALEXANDER GRANT

Dear Sir

It is with much Concern that I report to you a most atrocious Burglary allmost accompanied with Murder, in the case of Isaac Swayzey Esq the Collector of the public duties in this district & of the assessments of this Township.—

On Saturday night the 25th Inst about Eleven oClock soon after the family had gone to sleep, the front door of his house was violently forced off the hinges, the lock broken, & the door laid on the floor—

Mr Swayzey alone lay in the lower Room to which this door immediately opened, and suddenly awakened by the noise he had hardly time to spring from the Bed when he was Violently assaulted by a Stout Man drest in a Blanket Coat, with Mocassins, & his face Blacked — With this Man he seems to have had a Violent Struggle, & several Blows were given on each side—Mr Swayzey face Neck & body are much bruised and he thinks that having hit a fair stroke at his Adversarys face with a Chair he cannot have failed to leave the mark of the blow there —During this scuffle two other Men nearly drest as the other, as far as Mr S. could distinguish but apparently younger or at least smaller, were employed in breaking open a Chest of drawers which stood nearly Adjoining to the door—This they seem to have effected by the stroke of an Ax on the sloping Cover or door of the desk which was split and broken into two or three pieces Three Bags of Money as Mr Swayzey states stood in the front of the desk, these were taken away from one which was open some pieces of silver were scattered on the floor — The Struggle between Swayzey and the first Man still continued — he now however received a stroke on the hind part of the head from one of the others — which he apprehended was with a Sword but the appearance of the Wound rather indicated the back of an Ax or some other Blunt Weapon The three Men immediately made off without having spoken a word during the whole affair — Three Women were only in the house at the time — A man & a boy who usually sleep there had that afternoon gone to the Mill & did not get back till about one oClock in the Morning — The Women sleeped up stairs in a Room the door of which at the foot of the stairs passed from Mr Swayzeys Room They say that they were forcibly detained in that Room or on the stair by the door being shut or held fast against them — On their getting out the Men were gone & none of them were either seen or heard by the women further than in the Struggle in which they could only distinguish Mr S—s voice. —

Two Magistrates myself & Doctor Kerr soon happened to be on the Spott soon after the affair happened We Met next Morning with the other Magistrates & most of the Respectable Inhabitants, and from all the Circumstances we were led to conclude that the *perpetrators were well acquainted with Mr Swayzeys house & the habits of his family* —We proceeded Accordingly to search all suspected places, & to examine such suspicious Characters as we could think of but without Success in any Clue by which to guide our enquiry —

The Manner in which this affair has been Conducted, precludes the hope of finding positive Evidence to Convict the perpetrators — Circumstances such as the Mark on the face before mentioned, may perhaps lead to discovery And the Evidence of an Accomplice may perhaps be obtained by a promise of Pardon & the hope of Reward — It rests therefore Sir with you as president & with the Wisdom of Council to Determine how far this or a Proclamation may be proper or expedient. —

We do not doubt but that you will see the Necessity of using every possible means to detect such dangerous Villany and deter such daring offenders to whose Machinations the Country in its present State is so peculiarly exposed —

I am happy to Report that Mr Swayzeys life is not thought in Danger — I have not heard the Amount of his loss ascertained.

With sincere Respect
I am Sir &c

R HAMILTON.

The Honble
Alexander Grant President &c. &c &c

Queenston 28th Jany 1806

(Sundries U C 1806)

After due consideration by a committee of the Executive Council the President was advised to offer a reward for information leading to the conviction of the offenders.

PROCLAMATION

ALEXANDER GRANT Esquire *President Administering the Government of the Province of Upper Canada &c &c &c*

To all whom it may concern — GREETING

WHEREAS a most daring Assault and Burglary were committed on the Person and in the dwelling House of ISAAC

SWAYZE Esquire, in the Township and District of Niagara, by certain persons in disguise and unknown, on the night of the twenty eighth day of January last past, by violently assaulting, wounding and bruising the said Isaac Swayze, and by breaking open and feloniously taking and carrying away large sums of Money from his said dwelling House. NOW KNOW YE, to the intent that such heinous Crimes may not go unpunished, and that the Persons and Property of his Majesty's Subjects in this part of his Dominions may be secure under the protection of the law, I ALEXANDER GRANT, Esquire, President, administering the Government of the Province of Upper Canada as aforesaid, Do, by and with the advice of the Executive Council of the said Province, hereby offer a Reward of SIX HUNDRED DOLLARS to any person or persons who shall make such discovery and give such information, so that the perpetrator or perpetrators of the said crime or crimes shall be convicted of the same. And I do hereby further, offer his Majesty's most gracious Pardon to such person or persons as may be accessory or accessories to the commission of the said crime or crimes, who shall honestly and without fraud discover the principal or principals who hath or have committed the same.

GIVEN under my Hand and Seal at Arms, at York, this eighteenth day of February, in the year of our Lord one thousand eight hundred and six, and forty-sixth year of his Majesty's Reign.

ALEXANDER GRANT, President.

By his Honor's Command

WM. JARVIS, Secretary

A letter from the clerk of the peace to the private secretary of the administrator throws a curious light on the uncertainty of mail delivery and the considerable cost of postage.

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 8th Mrch 1806

Sir

Your letter and packet of the 25th January 1805 (sic) I yesterday received, have Eight pence Currency postage to Pay on the same — as the Clerks of the Peace have no allowance for Postage or for any other business done by them — it may perhaps be as well in future to pay the Postage at the Office at York and not keep the expense upon the Clerks — although trifling as Eight pence may appear at the Capital yet it is something to a Clerk of the peace with a large family at Niagara — I only [send] you the Out side Covers in order that you may see the post Mark 27th Jany 1805

I have the Honor to be &c.

RALPH CLENCH

Wm. Stanton Esq

Chief Clerk President Office
York

(Sundries Upper Canada 1806)

Under the existing militia act the responsibility for the local organization of regiments and authority to recommend the appointment of officers was vested in the lieutenant of the county who naturally endeavoured to secure the services of the most energetic and influential residents in the several townships.

FROM HON ROBERT HAMILTON TO
HON ALEXANDER GRANT

Sir

In consequence of some dissatisfaction and Inconvenience having arisen in the Militia of this County owing to the establishment of a Corps of Artillery which the recommended & approved of by General Simcoe while Lieut. Governor is not Authorized by the Statute of the Province I have been induced to alter the System and to bring the whole body of the Militia into the general Line

This Alteration, with the several Vacancies that have lately occurred require a Promotion and new Appointment of Officers, a list of Which I have now the Honor to submit for your Inspection and for your Sanction by Signature if approven of — I take the liberty to request that this may be sent back by the first Opportunity as I am Anxious to have the Officers of the three Regiments in orders by the fourth of June

With Sincere Respect

I am Sir &c

R. HAMILTON

Lieut County Lincoln

To his honor

Alexander Grant Esquire
President of the Province
of U C

Queenston April 28 1806

Promotions in the Lincoln Milatia

Lieut Colonel Ralfe Clench	to be	Colonel
Major Robert Kerr	to be	Lieut. Colonel
Major Johnson Buttler	to be	Lieut Colonel
Captain David Secord	to be	Major
Captain James Muirhead	to be	Major
Captain John Mackey	to be	Major
Lieut George Lawe	to be	Captain
Lieutenant William Robertson	to be	Captain
Lieutenant John Powell	to be	Captain
Lieutenant George Turney	to be	Captain
Lieutenant John Crysler	to be	Captain
Lieutenant James McLean	to be	Captain
Lieutenant James Secord	to be	Captain
Lieutenant Daniel House	to be	Captain
Lieutenant James Dawdy	to be	Captain
Ensign George Read	to be	Lieutenant
Ensign Gilbert Fields	to be	Lieutenant
Ensign Martin McClellan	to be	Lieutenant
Ensign Henry Smith	to be	Lieutenant
Ensign Latham Stole	to be	Lieutenant
Ensign Nicholas Smith	to be	Lieutenant
Ensign Frederick Markle	to be	Lieutenant
Ensign David Bastedo	to be	Lieutenant
Ensign George Keefer	to be	Lieutenant
Ensign Jacob Bean	to be	Lieutenant
Ensign Peter Moore	to be	Lieutenant
Ensign Henry Hixon	to be	Lieutenant
Ensign Joseph Smith	to be	Lieutenant
Ensign Ralph Walker	to be	Lieutenant
Serjeant William Wallace	to be	Lieutenant
Serjean William Deeman	to be	Lieutenant
John Secord Gentleman	to be	Ensign
George Hamilton Gent	to be	Ensign
George A Ball Gent	to be	Ensign
John Servos Gent	to be	Ensign
Henry Pawling Gent	to be	Ensign
William Servos Gent	to be	Ensign
James Hainer Gent	to be	Ensign
Simeon Stevenson Gent	to be	Ensign

Elijah Secord Gent	to be	Ensign
Serjeant Robert Brooks	to be	Ensign
Serjeant Christopher Buckner	to be	Ensign
John Cooke Gent	to be	Ensign
John C Ball Gent	to be	Ensign
John MacMicking Gent	to be	Ensign
Anthony Upper Gent	to be	Ensign
Lewis Clement Gent	to be	Ensign
Serjeant Benjamin Smith	to be	Ensign
Serjeant Joseph Snyder	to be	Ensign
John Henry Gent	to be	Ensign
Robert Pettit Gent	to be	Ensign
William Hill Gent	to be	Ensign
Henry Nelles Gent	to be	Ensign
Alexander Cameron Gent	to be	Ensign
John Clark Gent	to be	Ensign
Andrew Rorback Gent	to be	Ensign
John I Taylor Gent	to be	Ensign
Daniel Secord Gent	to be	Ensign

The above List will compleat the Eastern Regiment of the 1st Riding and the Regiments of the 2nd and 3d Ridings of Militia of the County of Lincoln

Thomas Clark Esquire Deputy Lieutenant for the Middle Riding of the District of Niagara

The foregoing List of Officers [illegible] complete Three Regiments of the Militia of Lincoln and is presented to His Honor the President of the Province and his Approbation is requested by

his most Obedient and
very humble Servant

(Signed) R. HAMILTON
Lieutenant County Lincoln

Queenston April 28th 1806
York 7 May 1806

Approved

(Signed) ALEXR GRANT
President

(Sundries, Upper Canada, 1806)

An effort to compile an estimate of the population of the province met with scanty success owing to the neglect of the township clerks to comply with a recent provincial act

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 20th May 1806

Sir

Yours of the 1st instant I this day Received and regret much that it is not in my power to comply with the Presidents Commands. The Town Clerks (a very few indeed excepted) have never yet sent into the Office any annual Acct whatever, not more than three or four Townships have been received for Many years past and but One of those (Niagara) agreeable to the Statute

I have the Honor to be Sir

RALFE CLENCH
Clerk of the Peace.

Endorsed.—From R. CLENCH
regrets that it is not
in his power to send
an abstract of the
Population

(Sundries Upper Canada, 1806)

A letter to John Askin from his grandson, William Robertson, then a merchant at Queenston, written at that place on 9th October, 1806[1], contains a hasty reference to the fatal duel between William Dickson and William Weeks, of which he had just been informed.

Ill news travels fast — since writing the above I have heard that Mr Weeks has been mortally wounded in a duel by Mr W Dickson. Major or Capt Hunt[2] who was up with you and by the by is said to be a great scoundrel, is supposed to be at the bottom of it. Judge Thorp also appears much blamed. The parties fought on the American side, the first Shot took effect & passed through Mr Weeks' body from the right to the left side but Mr Dickson is not blamed. Mr Weeks is much lamented by his friends and every one else.

(Askin Papers, Dominion Archives.)

The controversy in court between Dickson and Weekes was described in a letter from Hon. Robert Hamilton and Joseph

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[1] It has been stated that this duel was fought on October 10, which is apparently an error. The entry recording his burial in the register of St. Mark's church is dated October 7. [2] Probably Henry Jackson Hunt, afterwards a member of [illegible].

Edwards, who were sitting as assessors with Mr. Justice Thorpe at the time, addressed to the Lieutenant Governor, which is undated, but evidently written very soon after it took place.

"Sir,

The very extraordinary circumstances which have occurred at the last assizes for this District, and which have unfortunately led to the death of a Member of the Society, we think it our duty, as we had the honour to be associated on the bench with Mr. Justice Thorpe, to state to your Excellency. In a case in which Mr. Weekes the Attorney was employed, he took opportunity while addressing the Court to introduce the character of our worthy late Governor, Lieut. General Hunter, the Chief Justice Mr. Allcock, and several others of the most respectable characters in the Government of this Province, and to rail against them with the utmost degree of asperity. General Hunter he stigmatized with the epithet of 'Gothic Barbarian whom the providence of God had removed from this world for his tyranny and iniquity.'

He stated Mr. Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred, and attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent.

"The presiding Judge sat with the greatest composure to hear this abuse, tho' totally irrelevant to the cause then before him; if he did not applaud, he certainly shewed no sensible signs of disapprobation.

"We his associates indignant at this indecent conduct from the Bar and at the apathy in the Judge, would have left the Bench to shew our resentment, had not respect for the Court detained us, resolving however most determinedly never to be exposed to the like again by declining this and all other duty with this Judge. Mr. Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper, assigning as a reason that he understood a very elaborate argument was to be given by Mr. Weekes. As the argument produced was elaborate only in malice and misrepresentation, we are tempted to believe that the Judge, if not aiding in the falsification, was certainly previously acquainted with the matter it contained, and that it was not delivered without his privity and probable consent.

"Your Excellency has doubtless been informed that this Mr. Weekes has since fallen a sacrifice to his malice and obstinacy; here too we fear the interference of the Judge, or of his party, operated in forwarding the melancholy event. We are assured that for some time after Mr Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice and most probably arising from private malevolence and the rancour in the speaker's mind, Mr Weekes shewed no signs of particular resentment to Mr Dickson, that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede. We have strong reasons for thinking from the conversation of this Party that perhaps some rash promise given when warm produced that obstinacy which proved fatal to him.

In the above statement we have carefully recited facts to the best of our recollection. In matters of opinion we have to request you to excuse what may appear erroneous.

And we are with sincere respect

Your Excellency's most obedient and
very humble servants

R. HAMILTON
JOSEPH EDWARDS.

(Colonial Office Records, Vol. 308, pp. 83-85.)

Isaac Swayze, who then in conjunction with Ralfe Clench represented the second, third, and fourth ridings of the county of Lincoln in Legislative Assembly, endeavoured to obtain reimbursement for the loss he declared he had sustained by the recent robbery of his house, in connection with which it does not appear that any arrest had been made.

THE PETITION OF ISAAC SWAZEY

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of Isaac Swazey, Inspector for the District of Niagara.

Humbly Sheweth

That Your Petitioner has been commissioned Inspector of Licenses for the District of Niagara. That in consequence of the power vested in him by law he collected a considerable sum of money for Duties on Licenses issued 5th January 1806.

That on the night of the twenty eighth day of January 1806 his House was broken open and he was robbed of large sums of money of his own private property and the public. That amongst the said money was the sum of One Hundred and Seventy Eight Pounds, Five Shillings and Eightpence Farthing, Provincial currency collected on account of Duties on Shop, Tavern and Still Licenses ending the said 5th January 1806

Your Petitioner presumes he has always been punctual in his payments, and diligent in the discharge of his duty as Inspector and he believes he will be able to prove to the Honorable House that the said sum was not lost by any negligence on his part

Wherefore Your Petitioner prays that the House will take his case into consideration and grant such relief as they in their wisdom shall think meet and Your Petitioner as in duty bound, will ever pray

(Signed) ISAAC SWAZEY

York 19th February 1807

A bill was introduced for his relief which was read a first and second time and referred to a committee of the whole House which reported that further consideration should be postponed until the first week of the next ensuing session which on a division was carried by a majority of five votes, fifteen members voting. Mr Swazey was then permitted to withdraw his petition with the affidavits annexed to it.

Many of the duties which in later years devolved upon the county councils were then in the hands of the magistrates assembled in quarter sessions whose powers were limited by a provincial statute restricting their expenditure.

THE PETITION OF MAGISTRATES AND OTHER INHABITANTS OF THE NIAGARA DISTRICT

To the Honorable the Speaker and Members of the House of Assembly at York —

The Petition of the Magistrates and principal Inhabitants living along the road between the Lakes Ontario and Erie and its vicinity —

Sheweth,—

That the Bridge crossing the mouth of the Chippewa Creek upwards of three hundred feet in length is so much decayed as to render the passing unsafe and has twice endangered the lives of passengers and teams by breaking down

Your Petitioners deem it unnecessary to enlarge on the utility (and, indeed the necessity) of a bridge There since it is so well known to many of the Gentlemen in Your House particularly those representing this part of the Province they

presume to say that no road in this district is more travelled than the road above mentioned

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge which in the present exigence is far too small a sum.

Your Petitioners therefore pray that the Legislative Body will be pleased to authorize the Magistrates of the Niagara District in Quarter Sessions assembled to apply an additional sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippawa Creek or make such other provisions as the necessity of the case requires and which in your wisdom shall seem meet

And Your Petitioners will ever pray

JOHN WARREN SR.
THOMAS CUMMINGS
SAM'L STREET SR.
ALEXR DOUGLAS and others.

This petition bears no date but was read in the Legislative Assembly on the 26th February 1807

When the sale of several blocks of the lands composing the reservation for the Six Nations on the Grand River was approved by the Executive Council Hon D W Smith the Surveyor General William Claus their Superintendent and Alexander Stewart a barrister residing in Niagara were appointed trustees for the management of this business Smith had since removed to England and the responsibility had devolved upon Claus and Stewart causing them considerable anxiety owing to dissatisfaction among the Indians who were divided into contending factions.

FROM WILLIAM CLAUS TO WILLIAM HALTON

Fort George 24th March 1807

Sir

I am extremely anxious to hear what Mr Jarvis intends doing respecting Block No 5 on the Grand River for which he pledged himself on the 4th September last to surrender to the Crown in three months from that date in case he did not comply with the terms on which the lands were originally purchased by him as one of the Trustees I beg leave to say that no one part of that agreement has been complied with to my knowledge I beg leave further to add that such persons are now ready to come forward to purchase that Tract, as I am confident will meet the approbation of His Excellency.

I am also very anxious to hear how far His Excellency is pleased to approve the arrangement made by the Six Nations in Council 23d September last respecting Block No. 3 formerly purchased by William Wallace, as I have been informed that the persons who were recommended at that Council for the purchase of the remaining part of that Township (45 185 acres) will come forward in the course of a fortnight to tender me the money for the same amounting to £5648.2.6 Pro. Curry.

In my letter to His Excellency 11th Sept., 1806 I explained the difficulties & expense attending the mode directed by the Executive Government for the funding of the money arising from the sale of the Indian land which still causes dissatisfaction among them, that mode must still be followed by me upon the receipts of the further payments which I look for daily, unless altered by the same power that authorised it.

I beg that the above may be Submitted to His Excellency the Lieut. Governor for his consideration.

(Sundries, U. C. 1807.)

In 1804, at the instance of the Colonial Secretary, an act had been passed by the provincial parliament for the "encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof," and appropriating one thousand pounds for the purchase of "merchantable hemp," grown in the province at the price of forty pounds per ton by commissioners to be appointed by the Lieutenant Governor. Robert Hamilton had accordingly been appointed one of the commissioners by General Hunter and was continued in office by Grant.

FROM ROBERT HAMILTON TO WILLIAM STANTON

Sir

I have been much honored with yours of 16th Ins. Accompanied with 75 Copies of the Hemp Remarks which I shall endeavour to distribute in this Vicinity so as to meet his Honor the Presidents Wishes. —

Tendering thro you to him my best Respects I remain

Sir

your very hum. Servt.

R. HAMILTON

Wm. Stanton Esqr

Queenston July 22 1808

(Sundries, Upper Canada, 1806.)

Joseph Frobisher, a prosperous merchant in Montreal who was considerably interested in the fur trade with the North West, has briefly recorded his visit to Niagara in 1807 in his unpublished journal. He was accompanied by Isaac Todd, another leading merchant.

July 1807

Tuesday 14.—Arrived within the Bar at Niagara at 9 oClock in the Evening & slept on Board [the Simcoe, Captain Sampson.]

Wednesday 15.—Breakfasted on Board. Dined at Emmeys Tavern — Major Short & Capt. Ray of 41st. Revd Mr Addison & Mr Thomas Dickson Dined with us & in the Evening Rode up to Queenston & slept at Mr Hamilton.

Thursday 16.—Went to Niagara & Dined with Mr Jas Coffin & returned in the Evening & slept at Mr Hamilton — N.B. Mr Todd remained at Home —

Fryday 17.—Went to Niagara & Dined with Lt. Colonel Procter & returned in the Evening

Saturday 18.—Went with a party to see the Falls of Niagara & got down to the Table Rock. Rode up as far as Chippawa & returned & Dined on the Road & Slept at Queenston. Mr Hamilton

Sunday 19.—Remained at Mr Hamilton — Rain all Day

Monday 20.—Left Mr Hamilton early for Niagara & got on Board the Duke of Gloucester, Commodore Steel by 8 oClock in the Morning & sailed for York which we reached by 11 oClock at Night, slept on Board (4 miles from shore.)

Tuesday 21.—Went on shore — Dined at Moore Tavern and asked to Join the Commodore Grant, Judge Scott, Mr McLean, Mr Chewett & Mr Thomas Dickson

Wednesday 22.—Remained at York all Day. Dined with Chief Justice Scott & slept on Board the Duke of Gloucester & got under way

Thursday 23.—After being becalmed all the forenoon the Wind sprung up about noon & got into Niagara about 4 oClock & Dined at 41st Mess & in the Evening went to Queenston & slept at Mr Hamilton

Friday 24.—Mr Todd went to Niagara on Business & I went up as far as Chippawa & found Mr & Mrs. Waddington at the falls of Niagara — they returned with me & we Dined at Mr Thomas Dickson at Queenston

Saturday 25 —Remained at Home all Day

Sunday 26 —Went to Church at Niagara & Dined at 41st Mess with Mrs Waddington & several other Ladys & returned Home in the Evening

Monday 27 —Got all our Baggage on Board of the Simcoe Mr Todd & Mrs Waddington & servants then went on Board & Mr Waddington & myself Rode down to Niagara & Dined with Doctor Kerr — at [illegible] oClock the Simcoe got down & we went on Board & got under way with a slight Breeze. —

Tuesday 28 —A good Breeze all Day arrived at Kingston at 7 oClock in the Evening & slept at Walker Tavern.

After his return to Montreal on July 31 he summed up his journey in the following words

N B after being absent about 25 days viz

6½ Days from Montreal to Kingston
1½ do remained there.
1 do in crossing Lake Ontario to Niagara
5 do remained at Queenston & Niagara
1 do. in Crossing to York
2 do remained there
1 do in Crossing back to Niagara
4 do. remained at Niagara & Queenston
1 do. in crossing the lake to Kingston
2/3 do remained at Kingston
2 1/3 do to La Chine.

25 Days.

The attack by the British frigate Leopard upon the United States frigate Chesapeake combined with a general feeling of unrest among the western Indians seemed a certain portent of hostilities and caused evident anxiety among merchants everywhere in Canada

FROM THE QUEBEC GAZETTE

Thursday September 3 1807

It is stated in a Pittsburg paper that the British merchants at Michilimackinac refuse purchasing any articles of country produce from the Americans, and are preparing to remove their effects from our territory It is further stated that the difficulties with the Indians on that frontier are such as to render it unsafe to travel from Chicago to Detroit by land (To the above intelligence we can add from good authority that the whole of the Indian nations have offered their services to the British Government in case of war with the United States.)

About the same time it was reported and widely believed that General Moreau who had been exiled from France and had taken up his residence in the United States would be offered the command of an army organized for the invasion of Canada

COLONIAL OFFICE RECORDS NOVA SCOTIA

Series A Vol 139 pp 329 330

Halifax Sept 4th 1807

Sir

For the information of His Royal Highness the Commander in Chief I take the opportunity of a Letter Admiral Berkeley will dispatch this day to England of acquainting you that it is generally reported at New York (in the event of War) that General Moreau is to have the command of the American Army he is gone to Canada on pretence of seeing the Falls of Niagara but it is clearly for the express purpose of making himself acquainted with the Country

I have &c
M HUNTER
M G

Newspapers in the United States continued to publish alarming intelligence from the Indian territory some of which was reprinted in *Quebec Gazette* a semi official publication

FROM THE QUEBEC GAZETTE

Thursday November 12, 1807

New York Oct 16 to 24

From a Gentleman just from Ohio intelligence of considerable importance has been received that the Potawattomie Winnanyaw and other Indians to the number of nine hundred have assembled at Greenville on Mad River Ohio The Colonel of the Militia of that part went to them for the purpose of ascertaining their object and numbers. The Indians refused to give him any satisfaction on the subject. He then went to the Prophet, and told him if he did not he should inform the government of his country He replied I care not a d—n for you or the government of your country I can blow you off the earth like sand from my hand. Six hundred of the Kentucky militia had crossed the Ohio at Limestone commanded by General Scott and 1500 Ohio militia were prepared to march for the purpose of dispersing them.

It was reported at Chilicothe that seven thousand Indians had crossed the Lakes, and that a number of British agents were among them and it was supposed the former were waiting until joined by these others, when it was expected they would attack the whites.

LEXINGTON TELEGRAPH

NEW YORK Oct 17—A letter from Mr Rathbone Missionary among the Indians says that the Chiefs of the six nations are peaceably inclined towards the United States. It appears from the report of the commissioners sent out by the Governor of Ohio that the Indians near Greenville are not hostile. The Prophet is said to preach peace being thus taught not by man but by the Great Spirit. Blue Jacket in a talk addressed to the commissioners stated as their chief complaint that the government agent at Fort Wayne, (Mr Wells) was disliked.

FROM THE QUEBEC GAZETTE

Thursday December 24 1807

Extract of a letter from a respectable citizen of the U S captain of a trading vessel on Lake Erie dated Fort Erie Roads October 23d 1807

The British have armed all their vessels on this lake viz. the Camden Snow of 18 guns the Gen Hunter a brig of 16 guns, and all their merchant vessels. On Lake Ontario, as I am informed the Duke of Kent a snow of 18 guns a ship the Toronto of 24 guns, and the Governor's yacht the latter a few days since exercised her men and guns alongside the brig Adams.

'Should hostilities actually take place between the U S and G Britain the posts of Michillimackinac and Chicago it is most probable would be the first places the British would strike to expose a more extensive frontier to the Indians, whom they are tampering with to effect an alliance.

The appointment of an experienced officer on the half pay list of the regular army who was also a member of the Executive Council as adjutant general of militia had considerable significance.

From the Quebec Gazette

Thursday January 14 1808.

York U C.—His Excellency the Lieut Governor has been pleased to appoint Lieut. Col Aeneas Shaw to be Adjutant General of the Militia forces in this Province

Departed this life on Tuesday the 24th ult. Capt Joseph Brant aged 65 years

A few emigrants from the British West Indies and some even from Santo Domingo had arrived in Upper Canada and this seems to have encouraged others to contemplate following them.

From Robert Nichol to William Halton

Niagara May 14 — 1808

Sir

I have just received a letter from a Gentleman of very considerable property in the Island of St. Vincents stating it to be the intention of himself and several other Gentlemen in that Island to Come to this Country with the view of settling in it — and requesting me to say — to what extent persons of his description might expect to receive Grants of Crown Lands, on their arrival in the Province — The Gentleman is an European and of undoubted loyalty and as this Province may eventually benefit by the Migration to it of such Characters — I am anxious to transmit to him the most Correct information in my power and if possible from an Official Source —

Doctor Kerr who is the bearer of this has been written to on the Same Subject and can give His Excellency the Lieut. Governor more Satisfactory Accounts of the Gentleman in question

(Sundries. U C 1808.)

The movement of regular troops of the United States army to reinforce the garrisons of their frontier posts and the arbitrary seizure of boats laden with goods for the Indian trade by the collector of customs at Fort Niagara seemed to portend a declaration of war and naturally aroused alarm and led to vigorous protests from their proprietors supported by the Lieutenant Governor and the Governor General.

From Robert Nichol to Brigadier General Brock

Niagara May 21 — 1808

My Dear Sir

Conceiving that in the present State of our Affairs with

the United States it might be desirable for His Excellency the Commander in Chief to have early and correct information of any Movement of the American Troops on the Frontiers — I have conceived it to be my duty to State to you that I have received intelligence that can be depended upon that strong reinforcements of Troops of the line have been ordered from the interior of the United States to the posts of Detroit & Michilimackinac, and that a detachment of these amounting to upwards of a hundred Men has already Arrived at Presqu'isle on Lake Erie — I have Conversed with the Captain of the Vessell Chartered to Carry them up — My reasons for being so forward to report this to you is that the sudden Collection of a large force at the present time in those places might very materially affect our intercourse with the Indian Nations and dispose them to Commit hostilities on our distant Settlements before we could afford them the necessary protection — While writing a most unpleasant circumstance has taken place which is I think, strong evidence of the hostile intentions of the United States —

Twenty Boats belonging to the North West and South West Companies — Navigating Lake Ontario under the faith of the Treaty of Amity and Commerce — were this Morning fired upon by the American Garrison and Seventeen of the Twenty Captured — the remaining three Made their Escape to this Side — it is unnecessary for me to say More on this Subject as I presume a correct Statement of the fact will be forwarded to the proper Authorities —

I write in great haste the vessel being just on the point of Sailing

I am with much respect

ROBT NICHOL

Brig: General Brock
&c. &c. &c.
Montreal

(C 363 pp 61 3)

FROM ROBERT HAMILTON TO CAPTAIN LEONARD

Queenston May 23rd 1808

Sir

After the conversation I had with you on Saturday on the subject of the Goods now Seized and forcibly detained at your Post the property of the Mackinac Company and solely intended for the Trade with the Indians I think it my duty

to state to you in this way the following facts — That however the matter may terminate, you may not have it in your power to say that you were uninformed of them. — Most probably this statement may be laid before your Government and mine also

Sir James Craig, the Commander in Chief of the British Territories in America, did send to the President of the United States by Mr. Gillespie of Montreal, a Representation of the state of the Indian Trade in the interior parts of this country, and of the danger to be apprehended from the Indians of those parts were they prevented from receiving their usual Supplies. — Mr. Gillespie has returned to Montreal perfectly satisfied that this Representation would be attended with the best effects, and having assurance given him that the Indian Trade should not, in any way be affected either by the Nonimportation or the Embargo Law and in confirmation of those assurances having been given him we see in the last Supplementary Act on this subject the 15th Section of which most completely replaces this Trade in the situation it was in prior to the passing of any of those Acts — As you have that act in your possession, I do not trouble you with a Repetition of the Clause referred to — But as you must observe in it full liberty is given for the importation of British Merchandize into the United States, for the purpose of Trading with the Indians, surely it is absurd to suppose it meant to interdict the persons employed in the Transport of the Goods, from touching on the American side of the River or Lakes, not for the purpose of Trade but solely for refreshment

On Mr. Gillespie's return to Montreal, the Mackinac Company trusting implicitly to the assurances given him at Washington proceeded to dispatch the boats usually employed in this Trade and directed the men to pursue the usual Rout along the north side of Lake Ontario as being the safest and shortest and as being the rout the Canadians were best acquainted with.

They came unmolested until they reached the mouth of the Niagara River — where in the Waters which divide the two countries they were assailed by a Military force from the Garrison you command — Brought forcibly on shore the Boats and Goods seized by a Collector at your Post and the men thus forcibly deprived of the property they had in charge compelled to leave it and their Boats and to cross the River in the best manner they could without the means of prosecuting their Voyage or of returning back from whence they came —

What you Sir as Commanding Officer may think of enforcing these very strong measures, by the aid of your Musketry loaded with Ball some of which reached the houses on the

British side of the River, and thus against unarmed Men who did not understand your Language, nor could conceive your wish *I cannot say* — But had any fatal accident arisen from this unnecessary exertion of your power — We cannot help thinking that it might have had a very *serious personal consequence to yourself.*

Thus much for the Facts that have passed. The Evil that has been done may yet be remedied, by giving up the Goods and permitting the men in their boats to prosecute their intended Voyage

If you or the Collector are in any doubt with regard to the Quality of the Goods or their destination for the Indian Trade — this shall be ascertained to you by any proof you can in reason require — If you wish for any security that these Goods shall be delivered at the places of their original destination, without change or defalcation, I here offer it to you to any extent you can possibly in reason demand —

Should these Goods be detained until your Collector can make his Report and receive an answer from Washington the intention of the Voyage is completely frustrated — The Goods may just as well be detained Eight Months as Eight Weeks, and this is the time you admit an answer may be expected by the Post — As by such delay an absolute impossibility arises of reaching with them in this Season the different inland Trading Posts for which they were intended

Neither you nor I can doubt after reading the 15th Section of the Act of Congress above referred to, But that these Goods will be instantly ordered to be delivered back and will you assist your Collector in detaining them contrary to an express law of your own country with the certainty that their detention can produce no sort of good or advantage either to you or to him, but must be attended by incalculable loss to the other party?

I address this to you as I am well assured your advice to the Collector will have full effect in determining his conduct.

I am Sir &c.

R. HAMILTON.

Captain Leonard

Commanding the Troops of the

United States Fort Niagara

FROM THOMAS CLARK TO BLEAKLEY AND POTHIER

Kingston, May 24th 1808

Messrs. Bleakley & Pothier.

Gentlemen,

Ere this reaches you will have learnt by Mr. James Crooks that eight of your Boats going round the Lakes have been stopped and seized by the American Custom House Officer at the Garrison of Niagara on Saturday last Mr Hamilton and Mr Thomas Dickson being then at Niagara went over to the Garrison and entered a protest against the Collector's conduct — The Collector said his reasons for seizing them, were because they had not regularly entered and reported in passing. — On Saturday evening when I first heard of their seizure I learnt that nine Boats were still behind, and that the Americans had sent down the Lake to intercept them I immediately got a Boat and with some of my acquaintances went down the Lake in the night and had the good fortune to fall in with them first about 18 Miles below Niagara Fort and had the good luck to bring five of them along with us to this place the other 4 having escaped us last night and went ashore from fatigue not having stopped since I first found them at the 18 Mile Creek. I however think they will arrive this evening and escape the crew of the Niagara Collector who followed us near 100 Miles. I brought La Belle along with me from Niagara who will conduct the Boats round the north side of the Lake — At my return to Niagara I will despatch the three Boats that escaped to Sandwich as also the nine when they arrive distributing amongst them the crews of the 8 Boats that were seized, presuming that you will require all the men to send into the Indian Country.

Finding a vessel at this place just going off to Niagara, I return with her not having been here two hours when I get home, every effort shall be made to get the Goods and Boats released in the meantime I think you will do well to apply at Washington for their being delivered up.

I am, Gentlemen
Your very obed Servant

(Signed) THOMAS CLARK

FROM CAPTAIN J LEONARD TO ROBERT HAMILTON

Fort Niagara May 24th 1808

Sir

I have the honor to acknowledge the receipt of your Letter of the 23rd Instant.

From my Military Situation I think it would be highly improper on my part to go into the discussion of the principles which governed the United States Collector at this Post in the seizure made by him on Saturday last of the Goods, boats, &c. stated by you as belonging to the British Mackinac company

I must beg leave however to observe that my reply must be only conformable to the observations I made you on the day of the Seizure in the presence of James Muirhead and Thomas Dickson Esquires of Upper Canada and Doctor Joseph West of the United States Army — That the proceedings were under the direction of the Civil Authority of the United States.

In answer to that part of your communication which calls in question the propriety of my Military Conduct as Commandant of this Post — I feel myself bound from the expression contained therein to observe that the laws of my country exact from me a Sacred regard to its Civil Institutions and a prompt and ready obedience to its civil authority and that under these impressions and from mature Reflection and deliberation and under the proper application of the Collector at this Post I did conceive it my bounden duty to call forth such part of my Garrison as I presumed commensurate with the object in view

I am Sir &c.

J Leonard.

To

The Honble
Robert Hamilton
Queenston

FROM ROBERT HAMILTON AND THOMAS DICKSON TO LIEUT.-GOVERNOR GORE

Queenston May 25th 1808

Sir,

Acting as Agents for some of the Merchants in Montreal engaged in the Peltry trade with the Indians in the interior parts of this Country we think it our duty to state to your Excellency a circumstance that has taken place in this Quarter which threatens to be prejudicial in the highest degree to that body in general but particularly to those of them trading under the Firm of the Mackinac Company

In consequence of the Arrangements made this Spring at

Washington with the Government of the United States thro the Agency of Mr Gillespie a Merchant of Montreal and from which originated (as we suppose) the 15th Section of the last Supplementary Act regarding the Embargo — That Company fitted out and dispatched by the usual Route of the Lakes Twenty Boats laden with Merchandize, solely intended for the Indian Trade, and consisting of the usual Annual Supplies for those Nations

On the 21st Instant these Boats were stopped in the Waters which divide the two Countries by a Military armed force from the Garrison of Niagara. Eight of them forcibly taken to Shore were seized by the Collector of that Post — The Goods unladen and Carried into the Fort — and the Men compelled to abandon the Boats and Cargoes committed to their Charge, were turned adrift, to cross the River to the British side in the best manner they could.

We went on hearing this to the Collector at the American Post to enquire into the reason of this extraordinary Measure — We could only learn from him that he had Seized the Boats and the Goods because the Men had attempted to pass a Port of Entry without making a Report, a Form we believe only required by the last Supplementary Embargo Act of which these people could have no knowledge; a Thing never before demanded from Boats in this trade and to which the Canadians who alone navigated these boats are perfect Strangers.

The Commanding Officer on application being made to him declined all interference — having only Acted (as he says the Laws of his Country direct) in Aid of a Collector.

This is ended it was thought expedient to state to him the Commanding Officer in a Letter the whole circumstances of the Case offering to him the fullest proofs of the Quality of the Cargoe he could require and tendering to him the amplest Security for the delivery of these Goods at the place of destination and for the sole purpose of the Indian Trade that he could demand. A Copy of this Letter as also of the Commanding Officer's Answer we now have the honor to enclose — We have also Joined in a Protest against the Conduct of the American Collector delivered in as formal a Manner as our Situation would admit

Three of these Boats came on Shore on our Side and are with their Cargoes now here — to Nine others that were still behind on the Lake intelligence of the above event has been conveyed, and it is hoped they have got back to Kingston but of this we are not yet certain

As the Trade carried on by this Company is of great unportance as well to them as to the Inhabitants of this Province And as this extraordinary measure must be Attended with the most serious Inconvenience and heavy loss to all Concerned and as we may foresee but cannot Calculate on the effects it may have on the Minds of the Indians to be thus deprived of their usual Annual Supplies may we presume to hope that your Excellency may deem that an Object worthy of your Attention And that you will have the goodness by a proper Representation in such manner as you may think best to the Government of the United States, to endeavour to procure the Restitution of those Boats and Goods for the Company to their Agents here Though we are well aware that by the loss of time this requires the Object of the Voyage for the present year is totally frustrated — Still the getting back the property may prevent a total loss, which most probably will ensue should it be detained for any length of time where now Stored And we would also flatter ourselves that this Representation may have the effect of preventing the Repetition of such Evil in time to come

With unfeigned respect we have &c

R. HAMILTON
THOMAS DICKSON

To

His Excellency
Francis Gore Esquire
Lieut Governor — Upper Canada
&c. &c. &c

FROM RALFE CLENCH TO AENEAS SHAW

Niagara 25th May 1808

Sir

I now enclose to you the return of the officers, &c. &c. belonging to the First Regt of the County of Lincoln Militia I also send a list for promotions and appointments for the inspection and approbation of His Excellency the Lieutenant Governor The List of Field Officers at Present doing duty with the Five Regiments within this County I beg also to lay before His Excellency and are as follows

Colonel Ralfe Clench

1st Regt Lt Col Robert Kerr Major James Muirhead	Second Riding of the County of Lincoln
2nd Regt Lt Colonel Peter Ball Major David Secord	Laying within the Third Riding of the County of Lincoln

3rd Regt Lt Col John Warren. Major Thomas Cummings	Laying within the Fourth Riding of the County of Lincoln
4th Regt Lt Colonel Johnson Butler Major John MacKay	Laying within the Eastern part of the First Riding of the County of Lincoln
5th Regt Colonel Peter Hare Lt Colonel Andrew Bradt Major Richard Hatt	Laying within the Western part of the First Riding of the County of Lincoln.

According to this order the Regiments have ever paraded at our parade trainings or Reviews the 1st 2d and 3rd Regiments were first organized under and by virtue of Commands from Lord Dorchester the 4th and 5th Regiments under Lieutenants of Counties Should His Excellency the Lieutenant Governor be pleased to number the Regiments it will be the means of preventing jealousy and disputes hereafter should the different Regiments meet on the same Parade as we hitherto have been in the habit of doing

I have the honor to be &c

RALFE CLENCH
Colonel 1st Reg L M

Honble Aeneas Shaw
Adjutant General, York.

(Militia papers, U C M D 30.)

FROM FRANCIS GORE TO D. M. ERSKINE

Niagara Upper Canada
26th May 1808

Sir

The importance of the inclosed papers No 1 2 & 3 requiring that your Excellency should be put in possession of them with the least possible delay I have forwarded them as soon as received

The Honble R. Hamilton from whom I received them is a Gentleman of the most respectability in this Province a Member of his Majesty's Legislative Council and a Man whose representations may be entirely relied on

The several documents detail so accurately the Conduct of the Officers of the United States Government that I would be Superfluous for me to add any observations of my own more than to Express my strong apprehensions that the restraint which his Majesty's Government have with so much anxiety and Success I had on the Indians hitherto will become difficult and unavailing when they are informed that the usual Annual Supplies intended for them have been Seized by the Officers of the American Government

I have the honor to be &c

FRANCIS GORE
Lt. Governor

His Excellency
The Honorable
David M Erskine
Washington

(Sundries Upper Canada 1808)

A letter from Queenston published in the *Quebec Gazette* of July 14 announced Gore's hasty departure for Amherstburg three weeks later

'Queenston Upper Canada June 16

Our Lieutenant Governor has been sent for by express from the Indian agent, near Detroit and sets out by land this day for that quarter It is reported that some very violent resolution adopted by the Indians (on hearing that their usual supplies for their trade were stopped by the American government at Niagara) has occasioned this sudden and unexpected measure God grant that no mischief may take place before he gets up. Col. Claus is still there, and the Governor takes with him most of the other officers of the Indian department

Gore's journey was reported in the following notice in the next issue of the *Upper Canada Gazette*

"His Excellency the Lieut Governor left this place, York on the 15th instant on a visit to Sandwich &c We are sorry that he did not as he originally designed proceed by Lake Huron, according to his amiable intention and view of promoting the first interests of this province

FROM WILLIAM ARMSTRONG TO FRANCIS GORE

Quebec 26th May 1808

Sir

I had yesterday the Honor of receiving yours of the 30th March which was forwarded I suppose from New York to Montreal from whence I received it About the time you wrote I left the United States, from whence I should most Certainly have written you had anything serious been likely to take place but as I have all along been Convinced that it was not the Intention of that Government to go to War with Great Britain, *If they can possibly Avoid it* And all their proceedings being published in the News Papers, I thought it unnecessary to trouble your Excelly with my Correspondence more particularly as I was then ignorant of the *proper* mode of Conveyance

Previous however to my leaving that Country I left Directions with two of my friends at Wash. and N York that in case they saw a Necessity for it, to send you immediate Information by Express. — As I know nothing has Occurred of the smallest Consequence you of Course have not heard from them. If you should the first will be Dated F and signd L. — the other will be Dated A. and signed B. — and on their Information you may rely

Notwithstanding all the Supplements and Attempts to Enforce the Embargo or more properly the Non Intercourse Act Immense quantitys of Produce Comes in by every fair wind from Lake Champlain and the Inhabitants of Vermont publickly Declare they will not allow it to be Stopped — of this the Government is Convinced and rather Chuse to wink at the Infringement than run the Risk of an Insurrection which I really expect will take place should the Embargo Continue a few months longer — But a war with France is daily expected & almost unavoidable

The New York Papers will have given you the particulars of the Wonderful Change that appears to have taken place in Spain which I think will be the means of inducing our Government to pay some Attention to Col. Burr's proposals, with which I have good reason to believe he is either gone or immediately going to Britain — *This to yourself only* I have Communicated it to your friend Mr. C in order that he might be prepared to meet it. — No other person knows of it

Seventeen Ships & Brigs arrived here within these ten Days from Halifax, Britain Ireland & the West Indies, & many more are Expected, but I dont find they bring any News, Excepting that on the 4th Inst a Report prevailed at Bermuda that a large proportion of the Troops there were about to proceed for this place. —

I arrived here the end of last Month & have Reason to believe I shall remain with Sir James Craig who tho' much better than he was when I arrived, is still far from being as well as I sincerely wish him. —

Should I not remain here it is my intention to pay a visit

to Upper Canada for the purpose of paying my Respects to your Excellency & in Person Assuring you that if in any way I can be of Service to you you may Command & Believe me to be with perfect Esteem.

Your Excellencys
Most Obed. Hble. Servt

(Sgd) Wm Armstrong.

His Excelly
Lieut. Gov. Gore
Etc. Etc.

From the Merchants of Montreal to
Hon. D. H. Erskine

To His Excellency the Honorable David Henry Erskine His Majesty's Minister Plenipotentiary to the United States of America and Washington.

The Memorial of the Merchants of Montreal carrying on Trade to the Indian Country within the American Territory

Respectfully Sheweth

That your Memorialists having been apprehensive that the Revenue Officers of the American Government on the frontier of the Indian Territory might interpret some of the Laws that were existing and had recently been passed in such manner as to impede the free intercourse which your Memorialists as British subjects have a right under an existing Treaty to enjoy in trading with the Indian Nations, were induced in March last to represent the same to His Excellency the Governor in Chief of the two Canadas who was pleased thereupon, to refer them to you on the subject by transmitting to your Excellency by Geo. Gillespie Esquire the Memorial they had presented to him for the especial purpose of obtaining such explanations of those laws, as would secure such free trade and intercourse with the said Indian Nations, as were stipulated by the Treaty of Amity and Commerce between Great Britain and the United States, concluded in 1794 and further confirmed by an explanatory article thereto made in 1796

That in consequence a Law was passed by the Legislature of the United States apparently so clear and explicit as removed the apprehensions that they had entertained and the Trade which before had been entered upon was continued to be prosecuted in full faith and confidence that no molestation or impediment whatever would herein be given. But notwithstanding the said Treaty and the said Law of the American

Legislature your Memorialists have learnt to their utter astonishment, that a number of Batteaux belonging to your Memorialists, laden with Merchandise for the Indian Trade, have been lately seized at Niagara by the Revenue Officer there, aided by the Military power of the Garrison, as your Excellency will see by the annexed letter from the Honorable Robert Hamilton Esquire, one of the Members of the Legislative Council of Upper Canada; at a time too when it would appear by said Letter that the Revenue Officer was acquainted with the Section of the Law, which took the Indian Trade carried on from this Country completely out of the operation of the Non Importation and Embargo acts of Congress.

That this wanton and unjustifiable attack by the Collector on the property of your Memorialists, and actual hostility of the Military on the persons of their Servants, who are subjects of His Majesty, will not be sanctioned by the American Government, they are persuaded; but unless such violations of Amity, law and justice are put a speedy stop to, by the most precise orders from the Superior to inferior Officers at a distance, the Treaty will be a mere nullity — The Trade must be abandoned, and all those concerned in it ruined.

That this detention of property, and the consequent dispersion of the Servants of your Memorialists, the Crews of the said Batteaux, who are thus turned adrift, will so seriously break in upon the Trade of the year, as to occasion a loss that may exceed fifty thousand pounds — for the Goods so detained being an essential part of a general assortment for Indian Trade must render the whole nearly useless, as the want of them will be much felt in the same manner as would arms without ammunition or ammunition without arms, — besides an immense expense has already been incurred from the necessary preparation for the usual Trade, and which expense cannot now be prevented or curtailed — all this is so truly the case, that even the restoring the detained goods at as early a period as now practicable can only repair a small part of the injury so wantonly done, and will not prevent your Memorialists from looking for a full pecuniary indemnification in proper season, at the hands of the American Government, for the loss and injury that must be sustained by this destructive and hostile measure, and in the prosecution of which claim to full indemnification they look forward with full confidence, to the support of His Majesty's Government.

That your Memorialists are further informed that the furs and skins arising from the Indian Trade within a part of the American Territory, have been stopped on the Miamies River and prevented from being brought to the place of ren dence of the proprietors within the British dominions, of which they are subjects, and if the same measure of injustice is extended to Michilimackinac, your Memorialists confidently assert that the eventual loss may exceed two hundred thousand pounds Sterling

Your Memorialists consider the stoppage and seizure of the Batteaux in question as a gross violation of the Treaty of 1794, in this further point of view that *the right* to navigate the Lakes, Rivers and waters of the Continent of America within the country of the contracting parties is *most* precisely thereby secured under *such right* these Batteaux were loaded at Montreal for a destination far beyond Niagara and to go by the accustomed route, which necessarily leads them to coast the British shore of some of the Lakes and the American shore of some of the others according as the said shores of one or the other are most favourable to safe navigation in Boats.

In the present case these Batteaux were peaceably proceeding to their said remote destination along the American shore of Lake Ontario, and when crossing as usual from the point at the entrance of Niagara River over to the British side of that River they were most unjustifiably fired upon and brought back, although borne either by British Waters, or those to the use of which his Majesty's Subjects had an unquestionable right. It will not therefore escape your Excellency's observation that His Majesty's Subjects being so fired upon when out of the American Territory and some of the Balls actually coming over to the British side, places the transaction upon a footing of most decided and unequivocal hostility

The collector is said to support his conduct upon the pretext of their not stopping to report. — The right to demand such stoppage and report when coasting the Lakes and Rivers of communication between them merely for the purpose of arriving at a distant destination your Memorialists have ever denied and now deny and they rest their pretensions upon the fair interpretation of that Treaty which universal practice has hitherto sanctioned and which is confirmed by an instance on Lake Huron near Michilimackinac where a seizure of some Boats belonging to the North West Company being made by the Collector of the Port the property in such Boats was after a full discussion in the American Courts, restored.

That under all these circumstances your Memorialists urge the necessity of your Excellency's making a strong representation to the American Government upon the subject of complaint and obtaining from the proper authority such explicit instructions to the Revenue and Military Officers as may immediately liberate the property detained as also that without loss of time

instructions be sent to all the interior Posts to enjoin in future a liberal and just compliance with the Treaty of Amity and Commerce and the fifteenth Section of the 4th Embargo act which relates to the Indian Trade.

James & And. McGill & Co.
Forsyth Richardson & Co.
McTavish McGillivray & Co
Parker Gerrard, Ogilvy & Co.
J. Bleakley for self | Agents
George Gillespie | for the
Toussaint Pothier | Mackinaw
David Mitchell Jnr. | Company

Montreal 27th May 1808

FROM JAMES MCGILL TO HERMAN W. RYLAND

Montreal 30th May 1808

Dear Sir —

I beg leave to trouble you with a Memorial from the Merchants of this place carrying on the Indian Trade within the American Territory to His Excellency The Governor in Chief and copy of a memorial to His Excellency David Henry Erskine His Majesty's Minister Plenipotentiary at Washington which they despatched by a confidential & Special Agent yesterday and they request you will lay the same before His Excellency the Governor in Chief — Copy of the Letter from Mr. Hamilton & Spoken of in the Memorial would have accompanied this but it was forwarded yesterday by Brigadier General Brock & renders it unnecessary to trouble you with another — The Merchants were most desirous of having the recommendation of The Governor General to Mr Erskine but as this would have occasioned delay & every Hour being precious under the existing circumstances they thought it best not to lose any time more especially as they know His Excellency's sentiments on the subject of the Indian Trade by his ready assistance in March last when Mr Gillespie went to Washington on this business

I think it right to add that since the Memorial to His Excellency was framed the Merchants have received information from the Conductor of the Battoes that were seized that he had five Battoes under his Charge with three of which he reached the British side & two of them were seized that he was fired upon by the Men from the American side who came off in a Battoe to stop them — That six other Battoes were seized which had not come up when he passed the American

Fort & he thinks must have been at some distance from the Fort when seized That further an American Boat was despatched with armed Men with the evident purpose of laying Hold of Nine other Battoes loaded which were yet in the Lake & were only prevented by the greater Celerity used by Mr. Clarke of Niagara Agent for the Memorialists who in a light Battoe well manned & armed went out into the Lake to meet these nine Battoes & succeeding in bringing them back to Kingston notwithstanding they were pursued for a length of time by the American Battoe.

It is proper to mention for the information of His Excellency that the Battoes in question were twenty in number, divided into four Brigades, that they passed Oswego an American Fort & Custom House without molestation notwithstanding they were in reach of the Collector who saw them pass & was heard to declare by a Person now here that he had no right to stop or molest them — From this circumstance it would seem either that the Collector of Niagara had not similar Instructions, or if he had, he has wantonly disregarded them & injured the concerned to such extent as few private fortunes can bear, & still fewer make up for — Conceiving however that a different line of Conduct will obtain at the other American Posts The Merchants mean to prosecute their business, trusting that the heavy Loss they must sustain will be considered worthy the notice of the Government & compensated in due Season

I have the honor to be with great truth & regard Dear Sir
Your obedt & very humble Servt

JAMES MCGILL

Herman Wit Ryland, Esq

P.S. Since writing as on the other side Mr. Clarke's letter has come to hand and I am forwarding a copy of it.

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of The Bath Captain General and Governor in Chief in and over the Provinces of Lower Canada Upper Canada Nova Scotia New Brunswick and their several Dependencies, vice admiral of the same, general and commander of all His Majesty's Forces in the said Provinces of Lower Canada and Upper Canada Nova Scotia and New Brunswick and their several Dependencies and in the Island of Newfoundland &c &c &c

The memorial of the merchants of Montreal carrying on the Indian Trade within the Territory of the United States of America

Most Respectfully sheweth:

That your Memorialists have been lately informed by letter from the Honorable Robert Hamilton of Niagara a member of The Legislative Council of Upper Canada, that a most violent and hostile attack had been made on their Boats and Batteaumen carrying Goods for the purpose of the Indian trade on passing the American side of the River of Niagara, by seizing their goods to a great value, and firing on their Batteaumen

That in consequence of this information Your Memorialists considering the necessity of losing no time in applying for Redress, have dispatched a confidential and special agent to Washington, with a memorial to His Excellency D. H. Erskine, His Majesty's Minister Plenipotentiary, on the subject and of that memorial and Mr. Hamilton's letter copies accompany the present for your Excellency's fuller information, and to which they pray your attention.

That your Memorialists after the representation transmitted by your Excellency on the same subject, in March last to the Honorable Mr. Erskine, to which so satisfactory an answer was given by the American Legislature passing a law to exempt the Indian trade from the non importation and embargo Acts in so much as they might relate to British Subjects trading with the Indians within the American territory see with pain and astonishment that neither the Treaty of amity and commerce between Great Britain and the United States of America nor laws made by themselves are sufficient to prevent the subordinate officers of that government from committing acts of violence and injustice on British Subjects and insulting our Government.

That in addition to the representations made to Mr Erskine your memorialists have to state that if the Batteaux have been fired upon and the goods seized because they were passing an American post without making entry of such goods the waters of Lake Ontario and all others along the chain of internal communication must be considered as interdicted to British Subjects for vessels must frequently from contrary winds be under the necessity of approaching within gun shot of the American shore and were they to be forcibly stopped for not reporting at such Posts, the whole intercourse of merchants vessels from British Post to British Post upon the Lakes would be stopped, a pretension too absurd to be endured as it might expose to seizure the Furs of The North West not coming from the American Territory and Flour and other Provisions coming direct from Detroit or Niagara within His Majesty's Dominions, for we do not consider the exemption from the non importation & Embargo Laws as conferring the right of navigating the Lakes. We ground such right on the Treaty of Amity and Commerce, which to the subjects and citizens of Great Britain and the United States of America gives the free use in common to both of all the waters which divide their respective Territories in America.

That your Memorialists seeing the insecure state in which by this assumption of Power, the whole Trade of the Upper Country is placed, do, for themselves and others concerned in it, most earnestly entreat that you will lay their complaint before His Majesty's Minister that they may adopt such measures for granting relief and security in the premises, as they shall deem necessary, and in the meantime they pray that your Excellency will be pleased to communicate your sentiments to Mr Erskine on this subject, and give such directions to the proper officers of Government, who are charged with protecting the subject and his property, as in your wisdom you may see fit.

Your memorialists beg leave to add that as soon as further communication on this subject comes to their hands, they will communicate the same to your Excellency, and being fully aware of the loss and injury that they will sustain by this forcible detention of their property, and violent act of Hostility, they mean to claim full pecuniary compensation from the American Government for the same, through the channel of that Government, of which it is their pride and Glory to be subjects.
Montreal, 30th May, 1808

JAMES & AND. MCGILL & CO.
FORSYTH, RICHARDSON & CO.
MCTAVISH, MCGILLIVRAY & CO.
PARKER, GERRARD, OGILVY & CO.

J. BLEAKLEY, for self	Agents
GEORGE GILLESPIE	for the
TOUSSAINT POTHIER	Mackinaw
DAVID MITCHELL, JNR.	Company

THE QUEBEC GAZETTE

Thursday, June 2, 1808.

MONTREAL, 30th May, 1808.—We learn from Niagara that several Boats belonging to the Michilimackinac Company on passing that place were fired upon by the American fort and brought to and the property seized, which was afterwards demanded by Mr Hamilton, a British merchant, who produced the late clause of the Embargo act as a proof that the act was unlawful. The only answer which he received from the American commander was, that he construed the act in a different manner and he should detain the property and take the consequences upon himself. On firing upon the boats some of the balls are said to have passed over upon the British side. Considerable damage is also said to have been done to the boats before they were brought to.

THE FOLLOWING IS THE CLAUSE OF THE ACT ALLUDED TO, PASSED THE 22D APRIL LAST:

"Sec. XV. And be it further enacted, that nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or in the several acts supplementary thereto, or in the act to prohibit the importation of certain goods, wares, and merchandize, shall be construed to prevent the exportation by land, or inland navigation, from the territories of the United States into those of Great Britain, of furs and peltries the property of subjects of Great Britain, and by them purchased from the Indians; or to prevent the importation by land, or inland navigation, from the territories of Great Britain into those of the United States, of merchandize the property of British subjects, and by them imported solely for the use of the Indians aforesaid."

An extract from a letter from Thomas Clark to Colonel Talbot at Port Talbot dated at Queenston, on June 7, shows the dislocation of commerce caused by this event:

"The bearer Le May, Conductor of four Boats going round the Lake will deliver you three parcels — one containing news papers, one clover and Rye grass seeds — the other One hundred Dollars. By the Boats at this time I was in hopes to have sent up your other articles, but from 8 of them having been seized at Fort Niagara by the American Collector & 5 from desertion of the men being left at Kingston, puts it out of my power, having had to load the others deeply — everything shall be sent to Fort Erie, and can easily be taken to Long Point by Lodders vessel, this is should no direct opportunity offer for Port Talbot.

"Robt. Nichol has gone to Washington to endeavour get his 8 Boats & goods released. I expect to hear of him in the publick papers before he returns."

(Coyne, Talbot Papers, I, 98-9.)

FROM JOHN RICHARDSON TO HERMAN W. RYLAND

Montreal, 20th June, 1808.

Sir,—

I have had the honour of receiving your letter of the 15th instant, enclosing by command of the Governor in Chief a copy of a letter from Mr. J. A. Panet, Mr. J. T. Taschereau

Mr F Bedard, Mr J L Borgia, and Dr Blanchet dismissing them from their situations as officers of Militia and to Mr Planté dismissing from the office of Inspector of the King's domain and clerk of the Papier Terrier as also of a Letter to the Hon'ble G Taschereau Esquire desiring that his Son Mr J T Taschereau should be no longer employed as his Deputy in the office of Grand Voyer for the District of Quebec, and in all which Letters, the reasons of dismissal are assigned

I have to return my most respectful thanks to His Excellency for his condescension in making this communication which I beg leave to express through you

Mr Michael, who carried down the memorial to Mr Erskine about the seizure of the Boats at Niagara is already returned, having found him at Philadelphia from whence he immediately returned to New York with a dispatch to Mr. Gallatin then there — From that gentleman however no satisfaction could be had, as he would not interfere in any shape, until he had received the report of the seizing officer which could not be before his return to Washington.

He seemed however to justify instead of condemn the requirement of an entry and report to their Custom Houses, even when only coasting their shore for an ulterior destination, which principle has never before been acted upon, but in one instance where the decision of their own courts was adverse thereto, nor can it ever be admitted by British Subjects, without rendering the right of Navigation by Treaty nugatory, or even worse as a Trap for our Trade thereby to expose it to vexations that must speedily produce its annihilation — This probably is their object There is such a want of good faith on the part of America in the execution of all Treaties, that we have been from first to last completely duped by giving up a substantial something to receive what by their practical exposition may amount to nothing, or even worse than nothing an actual loss of property

From this little specimen at Niagara it may be seen how Jonathan would illustrate his favorite doctrine of the Liberty of the Seas, if he possessed the power of the British Navy

Mr Michael on his return to New York, found there Mr Nichol the person dispatched by our agents at Niagara on the same business, and who intending to proceed on to Washington to obtain a final answer it became unnecessary for the former to go there also — This is the reason of his bringing no dispatch for the Governor in chief as when he left Mr Erskine at Philadelphia, it was under the impression of again seeing him — He forwards to-day a Letter from Mr Bond —

The last Raft on Lake Champlain has been brought in by force — There was a good deal of firing with Ball between the people of the Raft and Militia but no lives lost although both sides seem to have been in earnest

I very respectfully am
Sir
Your Most Obedt Servant.

JOHN RICHARDSON

Herman W Ryland, Esquire
Endorsed
20th June 1808

From Mr Richardson in answer to the letter announcing the removal of certain persons engaged in publishing the Canadien

FROM JAMES MADISON TO D. M. ERSKINE

Department of State
June 29th 1808

Sir

Your Letter of the 21st Inst on the Subject of the detention by the Collector of Niagara of certain Boats belonging to Canadian Merchants engaged in the Indian Trade was duly received and communicated without delay to the Secretary of the Treasury on his return to this City. The enclosed Copy of his instructions (*) to the Collector will explain the Interposition which has been thought best adapted to the Case under the imperfect knowledge yet obtained of the Circumstances. I will make no other addition to it therefore than merely to observe that if as the Agents of the Montreal Merchants seem to be aware, a Law of the United States was violated without any other Plea except that of Ignorance the Tone of their Complaint ought to have been very different and that a resort to the Justice of the Government of the United States in all Cases to which it is applicable will always be found by the Officers of His Britannic Majesty the most efficient as well as the most suitable Course for their adoption

FROM D. M. ERSKINE TO FRANCIS GORE

Philadelphia July 4th 1808

Sir

I had the Honor to receive your Letter of the 20th of May with its several Inclosures respecting the seizure & Deten

tion by the Collector of Niagara of certain Boats belonging to the Merchants in Canada engaged in the Trade with the Indians.

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* These instructions order the Boats to be released by the Collector who is to "take Security for the Goods to abide the Decision. &c.

The inclosed Letter will explain the Result of my Application to the Government of the United States upon the Subject & Mr. Nicholl is the bearer of the Instructions (referred to in Mr. Madison's Letter) which have been given by the Secretary of the Treasury to the Collector of Niagara upon the Occasion.

And I have forwarded to Sir James Craig Copies of the Correspondence which has passed upon the Subject between the Government & myself which I have now put under a flying Seal for fear you might not happen to be at the Seat of Government, but request the favor of you to open them & after having read them to transmit them to Sir James Craig the Governor in Chief by the earliest Conveyance.

(Sundries, U. C. 1808.)

Signs of unrest and discontent among the Six Nations in Upper Canada and the United States were apparent and did not fail to cause considerable anxiety.

FROM WILLIAM CLAUS TO PRIDEAUX SELBY

Fort George 10th August 1808

Sir

A vast number of Indians are at this Post just now, upwards of one hundred & sixty, several from the Grand River who complain of the great distress they are in for Bread, those who I find are in real want and not through Idleness or their having sold their Corn, I will give them a little relief, it will not be Long before the Corn will be fit to use consequently Less flour will be given them than otherwise — The others from Buffaloe Creek and that Neighborhood. I met them this day when they Declared very Positively that the statement made by their Interpreter respecting the war Belt being given to them by me was unjust and Denyed that they ever told the Interpreter or the Agent Mr. Granger any such thing — That in their Council Last spring they shewed the Belt which I gave them on the difference between the Grand River Indians being made up, which Belt was to cover all past Animosity. They then told me that they had come to a Determination to sit quiet in case of any quarrel between the King and America and not to spill the Blood of the white men, and that their Friendship for the King was firm — I merely returned them the usual compliment and said very Little more to them to shew them that I was not pleased with their Conduct — The Missisagoes are also here to the Number of 51 they are very inquisitive about the additional Payment for the Lands they sold three years ago on the subject of which I would be glad to hear

The Requisition for the post has not been completed and what with those things sent to Amherstburg Last fall and the great Demand on the Store of *This* Post for the payment of all public Service performed by Indians will reduce Our Annual presents very considerably indeed.

I am Sir &c

W Claus

P Selby Esquire
&c. &c.

(Claus Papers Vol 9 pp 239 240)

The following letter which is unsigned but initialled by the Governor General for transmission to the Colonial Office was probably written by John Norton who had acquired great influence among the Six Nations of the Grand River

Grand River 10th August 1808

Dear Sir

Your intention to attempt the civilization of the Tribes within the British Limits, as also the present appearance of the disposition of the Americans which indicate that it is not improbable for a rupture to take place between them and the British Empire induce me to give some Ideas of our situation, it striking me forcibly that either to civilize the Tribes or to hold them in a situation ready to give assistance to the British Government it is necessary that their settlements should be more compact than they are at present.

The intention of the Americans towards the Tribes is sufficiently clear the annuities they allow them for the lands they have usurped are intended to sooth them and retain them within their power The Senecas or Oudowages who are the most numerous branch of the five Nations are detained within their Limits by this measure an annuity arising from the Lands they have relinquished amounting to something more than 6000 Dollars is paid the Nation which divided gives 3 Dollars to each person several of the Principal Chiefs receive annually from 100 to 300 Dollars thus Interest retains them contrary to their affections for I feel assured that they are more sincerely attached to the British and to their Brethren here than they are to the Americans. The Oudowages and Cayugas received annuities for their lands 2 500 Dollars each Nation these have suffered a considerable Diminution this year through the medium of those of the Nation who remain within the American Bound

ary but whether at their instigation or not I cannot pretend to say

As the Tribes are under the protection of the British Government and the Annuities are more than a just debt, would it be improper for His Majesty to interfere and issue the payment of them to the Tribes should they remove within the Limits of his government or should a War take place and they espouse his cause The whole amount of this which is the only support of the American influence with the five Nations falls short of 12 000 Dollars Yearly, a sum not at all to be compared to the great Expense of the Indian Department. The sale of a few Townships of land made by Government in this Country might raise a sufficient sum to create such an annuity

After breaking the bands of American influence the next thing to be effected is to collect the Five Nations in One Settlement either on the Grand River or to the Westward of the River Thames towards the Shores of Lake Huron, in the first situation they would be more under the eye of Government, in the latter more conveniently situated to serve them in negociations with the Western Tribes and less exposed to be contaminated by the vices of those kind of people that are continually crowding into New Settlements 1200 Men collected into one settlement might be more relied on in time of War than scattered Divisions and would require little more trouble to Improve and Civilize than a settlement of a much smaller number

I have heard it remarked that something has been said at York respecting the policy it would be of to the Country to have the five Nations removed from the Grand River to a more westerly situation but I am glad to hear also that His Excellency the Lt Governor observed he would do nothing in it unless it should be proposed by the Five Nations themselves

As this subject has been stated I shall give you my private opinion on it. The grant of General Haldimand is so long and narrow and the settlements so near as that it is impossible for us to keep liquor from among us, unless when the people have resolution to refrain from drinking The people would be more distant from the Americans consequently less liable to be corrupted by their Intrigues. More approximate to the Chippawas Ottawas, Poutawatamies Shawanoes, Wyandots Miamis and others from the Southward that might be collected between the Lakes and the Mississippi as I have already mentioned in a Letter to Mr W

On the other hand as the Grand River lands are of such higher value from their situation than any we could receive

on Lake Huron (lands not equal in fertility for five miles from us selling now for five and six dollars an acre) it would be neither reasonable nor just to obtain them from the five Nations and grant them away to others neither would it be to the advantage of the Country. The Government should first take a view of the whole, and provide that none of the Industrious be injured by the change by giving individual grants to every Family or Man that had made any improvement according to the extent of their improvements then the sale of the remainder to be made under the inspection of Government, and after securing annuities superior to those paid by the Americans with the remainder purchase a tract from the Chippawas on Lake Huron, such as might be chosen by the Five Nations convincing them in the whole proceeding that the Grant of General Haldimand was not violated, but changed to remedy the difficulties it had been involved in.

As the lands on Lake Huron from their situation are not likely to be wanted by Government this Century, the same extent should be given to the Five Nations as General Haldimand granted only in a different form (instead of 120 by 12 let it be 50 by 30) a Mission might there be established for giving Religious Instruction, and a Seminary formed to instruct the Youth in Agriculture and Letters.

For the encouragement of Industry a Trader should be placed on our settlement with useful Articles, such as Blankets, Woollens, Cottons, Iron, cutlery, and ammunition, with these to purchase Wheat and Pork as well as skins. The money of the Five Nations placed in the bank by the Agents of Government might in that manner be turned to the Support of Industry, those cultivators of known industry and economy might be allowed to borrow of the public to half the amount of the property they possess in improvements, cattle &c. or mortgaging the same for the payment to pay annually the interest and so much of the principal as to discharge the whole in twenty years or sooner, should he who borrows see fit.

Many are the obstructions and clogs to industry existing in the customs of the Five Nations, more than in any constitutional Indolence. I know it because I have felt the inconvenience myself, but if we can make a good road I feel assured that there will be some to walk on it, and time may at last effect the desirable change.

The Mohawks are improving rapidly, there are several so much agriculturists as to raise three or four hundred bushels of Wheat in the Year; those who suppose that the being farmers will debilitate them from being Hunters are mistaken. The most industrious at the plough, generally shew themselves the most persevering at the chase when in Winter they throw aside the hoe and take up the gun.

I wish you to understand this not as proposal from me, but rather as the most equitable and justifiable method to be taken by Government should the supposed good of the Colony induce them to desire any further relinquishment of the claims of the Five Nations, and should such a change take place, the tract of land given in exchange should be sufficiently capacious to assemble therein all the Tribes of Upper Canada. Their being collected in a body would be more for the good of the Empire in case of a War, and a teacher with little more exertion would be in a situation of aiding the cause of religion much more extensively, as a fowler who fires at a great flock of Pigeons has a chance of killing many more than if he had shot at a few.

The influence of Government might also be maintained among them by a resident on the spot, much more effectually than it can be by a Superintendent General at the distance of some 100 Miles, frequently unacquainted with the Tribes they superintend.

The great expence the Government is at in sending out goods and employing Store Keepers and Clerks, might be rendered unnecessary by furnishing an annuity in the manner I have already explain to counterpoise that given by the Americans, and a respectable trader appointed by your intended society would furnish the necessary Merchandise according to the actual wants of the Individuals. Only in case of War the Arms, Ammunition and clothing wanting for those who embodied themselves to serve might be furnished by Government.

The situation of the British in this Country is at present very similar to that of the French at a former Period. The great disparity of the force of this Province to that of the United States & an inland situation renders an alliance necessary and except the Senecas whose Character Mr. T does not seem to be acquainted with the Aborigines are natural Allies from their antipathy to the Americans and Affection to His Majesty. The French to secure more effectually the services of the Tribes always used their utmost endeavours to have their settlements compact which they effected in the Neighbourhood of Detroit, on the Wabache & near Montreal. The latter consisting of the Catholic Mohawks and a few Kadonudacks are at present the only remains of this management, in three Villages not very distant from each other there is upwards of six hundred Warriors.

In the present situation of things, this Province is much exposed to any sudden attack of the Americans particularly should they commence hostilities at a season when assistance could not be readily obtained from Europe and to keep up constantly a Military Establishment adequate to the defence of so extensive a Province the expense would be enormous.

To remedy this inconvenience a Military Settlement might be formed in some Townships of the Crown lands, composed of a few thousand Veterans, who would receive their lands on condition of holding themselves in readiness at the call of Government to serve in Defence of the Country. Although as strangers they might at first find difficulties in settling a country so different from their own, yet with a little well administered assistance at the commencement and giving proper encouragement to some loyal Americans to mix with them they might soon obtain a comfortable living.

Such a well disciplined Militia together with our Tribes & the loyal part of the Militia of the Province might form a sufficient Army of defence for any sudden emergency.

J. H. C.

Early in the year 1808 the Public School for the District of Niagara, otherwise sometimes known as the Niagara Grammar School, in accordance with the terms of the public school act of 1807, was established in the town of Niagara. The trustees nominated by the Lieutenant Governor were Hon. Robert Hamilton, Thomas Clark, William Dickson, Robert Kerr, Thomas Cummings, James Muirhead and John Symington. The Reverend John Burns, the resident minister of the Presbyterian churches in Niagara and Stamford was appointed teacher by them. The sum of £100 was allotted from the provincial treasury toward the maintenance of each district school.

FROM ROBERT HAMILTON TO WILLIAM HALTON

Queenston Aug. 28 1808

Sir

The trustees for the public School at Niagara having rectified the Certificate for the Master's Salary I have now the honor to return that paper to you. I have in their Name to request that you will have the Goodness to place it where it may be effectual.

(Sundries U. C. 1808.)

Having been exiled from France, the distinguished General Moreau had lived quietly in the United States for several years. Popular rumour stated that in the event of a war with Great

Britain, he would be offered the command of an army for the invasion of Canada. This statement led to his unauthorized arrest while at Niagara after paying a visit to the falls.

FROM HENRY PROCTER TO COLONEL AENEAS SHAW

Fort George 15th September 1808

Sir

I have the honor to acknowledge your Letter of the 1st September which indisposition has prevented my doing sooner. In answer I have to acquaint you for the information of His Excellency the Lieut. Governor, that the French General Moreau was neither apprehended nor liberated by me. he arrived at the Inn at Newark on the Evening of the 27th Ultimo, where he remained, to the best of my information until the Morning of the 28th, when I saw him and informed him that not having the Sanction of His Excellency the Lieut. Governor he could not remain in the Province he then acquainted me of his intention to leave the Province immediately by the same route he had entered it which I understand he did without loss of time. On my having asked him if he had any Passport, he acquainted me that he had sent from Buffaloe to the Magistrate at Fort Erie to know if there was any objection to his entering the Province whose answer was that he knew of none. General Moreau I understand was apprehended and liberated by Colonel Clench not having any Authority to interrogate him or others concerned I must beg leave to refer you to him for the particulars of the General's Apprehension &c.

(Sundries U. C. 1808.)

Captain Cowan, whose death is recorded in the next letter, had served in the Royal Navy for four years and afterwards commanded a ship for twenty-eight years on Lake Erie in the provincial marine. He was one of the members for the county of Essex in the fourth provincial parliament from 1804 until 1808, and owned a farm near Fort Erie, where he operated for some time the international ferry to Black Rock.

FROM HENRY PROCTER TO WILLIAM HALTON

Fort George
September 25 1808

Sir

I am sorry to inform you of the Death of David Cowan Esqr. Commander of His Majesty's Snow Camden which occurred on the 24th Instant at Fort Erie

I beg leave to say that this is not the first Occasion I have had to regret the Want of medical staff at Fort Erie

(Sundries U. C. 1808.)

The supply of the troops in garrison and other military departments created a considerable demand for fresh provisions and flour, which were usually supplied by local contractors.

FROM JOHN McGILL TO FRANCIS GORE

York 15th October 1808

Sir

In obedience to your Excellency's order of the 16th August 1808 I have the honor to Report that I have agreed for a Supply of Fresh Beef which is to be furnished to the Troops and Military Departments in Upper Canada by the quarter during the undermentioned periods and at the prices stated after each Post viz.

Fort George—David Secord from 25th September to the 31st December 1808 at Two pence half penny per pound and from 1st January to 24th March 1809 at three pence Halifax Currency per pound.

Chippawa & Fort Erie—Samuel Street Junr from 10th October to 31st December 1808 at One pound two shillings and six pence Halifax Currency for every One hundred pounds of Beef

(Sundries U. C. 1808.)

Another visit by the Lieut. Governor to Niagara at the end of this month was briefly recorded in the *Upper Canada Gazette* of October 22.

'On the 17th instant his Excellency the Lieut. Governor and Major Halton sailed for Niagara in the *Toronto Yacht*. It was His Excellency's intention to have gone there on Monday last. He embarked for the purpose and received an honorary salute from the Garrison. Excessive gales and a succession of head winds delayed his proceeding until Thursday morning.

His return in the same ship on November 6 was subsequently reported.

The great delay of the United States government in investigating the complaints of the proprietors of the boats which had been irregularly seized by the collector of Fort Niagara provoked another forcible petition from them, probably prepared by the Hon. John Richardson, then a member of the Executive Council of Lower Canada.

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of the Bath, Captain General and Governor in Chief in and over the Provinces of Lower Canada, Upper Canada, Nova Scotia, New-Brunswick, and their several dependencies, Vice Admiral of the same, General and Commander of all His Majesty's Forces in the said Provinces and their several dependencies, and in the Island of Newfoundland &c. &c. &c.

The Memorial of the Merchants of Montreal carrying on Trade to Michilimackinac and the Indian Country within the Territory of the United States.

Most respectfully Sheweth

That it is with great regret they find themselves under the necessity of again troubling your Excellency with their complaints against Officers of the Government of the United States, but the necessity arises from the outrage committed and before complained of being still unredressed.

That the subject may be fully before your Excellency without reference to their former Memorial, they take the liberty of again stating the facts with such observations thereon as circumstances so extraordinary suggest.

The case stands thus. — The Company trading from Montreal under the Firm of the Michilimackinac Company, who are Subjects of His Majesty, dispatched early in May last from La Chine a number of Batteaux or Boats laden with Merchandise intended eventually for Trade in the Indian Country, and which were ordered to proceed, and were proceeding by the accustomed route (being that uniformly practised since the cession of the Posts by the Treaty of 1794) up the River Saint Lawrence and round the Lakes to the *Island of St Josephs* a British Post (without an idea of intermediate Trade) at which Post they were to be met by the Agents of the Company (who went up by the Ottawa River) and there to receive instructions respecting their ulterior destination. A considerable time previous to the departure of those Boats, a mission was sent to Washington under the Sanction of your Excellency to ascertain through His Majesty's Minister there whether it were the intention of the American Government to continue to act upon the permanent part of the Treaty of 1794 as to the Admission of British Subjects to participate in the *Indian Trade within their Territory*, or to consider it at an end, as upon such ascertainment the Agents of the Company at Saint Josephs were to regulate their further proceedings after the arrival of the said Boats at that British Post. At the departure of those Boats from LaChine the answer from Washington was not received.

The object of such ascertainment had no relation to the *navigation by the usual route round the Lakes*, such being considered common right unquestionably secured by Treaty and foreign to that respecting Trade within American Territory. Accordingly the Boats proceeded onwards, in full faith and confidence, that whatsoever might be the determination of the American Government respecting the said Indian Trade, the common use of the waters along the internal communication dividing the two Countries would still be held sacred.

Those Boats went forward as usual without interruption untill the 21st day of May last when the first division of them arrived at the entrance of Niagara River from Lake Ontario, where there are *British* and *American* Garrisons nearly opposite to each other. In the middle waters of that River, or even nearer to the *former* than the *latter* Garrison the Boats were fired upon with Musket Ball by a party of Soldiers in a Boat dispatched from the American Fort, when Two with their Cargoes were forcibly seized and carried back to the American Garrison, and three got over the British side after the Crews had narrowly escaped death; for so near were they to the British side when fired upon, and so marked the Hostility of the procedure that some of the Balls, fired, reached the Land on that side.

Those who committed this outrage having learnt that other Boats belonging to the same Company were following along Lake Ontario, a Boat with Soldiers was dispatched from the American Fort to intercept them, and succeeded in forcibly seizing six more in the upper Lake making in all Eight Boats, the whole of which with their Cargoes have been since unjustly detained in direct violation of the Treaty of 1794, and to the great injury and heavy loss of the same Michilimackinac Company.

Not satisfied with this signal outrage upon the Stipulations of that Treaty, an American Boat with Soldiers proceeded to a much greater distance along the Lake to seize also nine other Boats still further behind and actually pursued them above Thirty miles but in that superlatively aggravated intention they were happily foiled as those Nine boats had received intimation of what had passed by one dispatched from the British side which occasioned their return to Kingston from whence they proceeded round by the North side of Lake Ontario, after a great number of the Men had in consequence of this violent attack deserted who were replaced by others hired and sent up from Montreal at a heavy expense.

Application in consequence of the Outrage and Seizure was under the Sanction of your Excellency made by His

Majesty's Ministers to the Government of the United States for reparation and an order thereon was issued by the Secretary of the American Treasury to restore the Boats and property so seized but upon condition of giving Bond in double the value to abide by the decision of the American Courts, and requiring other preliminaries which could not be agreed to by the Memorialists without acknowledging American Jurisdiction in a question foreign to it and thereby abandoning the strong ground whereon they stand as British Subjects pursuing their lawful business under common rights of free Navigation solemnly secured by the Treaty of 1794 (whereby the Post of Niagara from whence the said Outrage was committed was delivered up to the States) and especially the Third Article of that Treaty.

Their property therefore remains detained in custody of the Customs House Officer of the United States at Niagara upon the pretext of awaiting a decision in their Courts to the Competency of which the Memorialists object and maintain that the question is alone determinable by the Government of the Two Countries as involving matter of serious National insult as well as infringement of private British rights founded upon National compact.

In support of this view of the subject, the Memorialists beg to observe to your Excellency that by the 3d permanent Article of the Treaty of 1794 His Majesty's subjects and the Citizens of the United States have common and equal rights to the free navigation of the waters where the seizure was made which being the result of a joint stipulation no impediment to such free navigation can be legally interposed by any Legislative Act or proceeding of any Officer of *One* of the contracting parties, to effect the rights of the subjects of the *other* party without the previous consent of their Sovereign. Upon this principle the Michilimackinac Company contend that neither the American Embargo non Importation or any other act of the States can govern the present case or controul or regulate the rights of Navigation stipulated by the said Treaty.

That the requirement of British Boats, when coasting the Lakes from One British Port to another to report or make entry at American Custom Houses (when there is no intention of Trade) would amount to a controul regulation and impediment of the Lake Navigation to the destruction of its freedom and wholly foreign to the intention of the contracting parties, as will be seen by reference to the Treaty which Specially Stipulates for allowing regulation to the exercise of River Navigation in small vessels between Montreal and Quebec and for the free passage of goods across Portages, in order to prevent frauds, but authorizes no other regulation whatsoever. Consequently, if a Special provision was needful to authorize regulation in respect to such rights, as were to be exercised within the Acknowledged exclusive Territory and jurisdiction of one party, how much more necessary would special Stipulation have been to authorize either party by its separate act to regulate objects common to both, such as particularly is the navigation of Waters dividing their respective Territories.

The Memorialists have understood that the Custom House Officer who directed the seizure of the Boats, pretends to justify himself upon the ground that the Boats could not have coasted the Lake without touching the Land, although he neither had or could have a knowledge whether such was the fact; but this is a mere subterfuge, for the right of Lake Navigation common to both Nations necessarily implies its being exercised in a way practicable to the Vessel Navigating, whether *Decked* or *Open*. If the *former*, she must sometime anchor when the wind is contrary, and if the *latter* stop on the beach without any infringement in point of good faith, when there is no purpose of trade or any object Stopping beyond the necessity of waiting for wind, weather, or daylight to resume the voyage.

Such a quibble would render the object of the contracting parties a mere nullity, and were a common highway the boundary between two adjoining Nations, as well might it be agreed that the fair use of a resting place on either side, occasionally to relieve a weary Traveller, would be prohibited in the exercise of the right of free passage.

The outrage complained of involves two distinct points of consideration. One affecting the National dignity by the insult offered thereto in sight of a British Garrison, and in waste of common right, by the marked Hostility of firing upon His Majesty's Subjects when defenceless, by Armed Soldiers of the United States. The other, an attack upon the rights and property of British Subjects, whereby they have sustained great pecuniary loss and damage requiring indemnity.

As to the first point, the Memorialists consider that it would be presumptuous in them to suggest the quantum or kind of redress fit to be insisted upon. Such remains with His Majesty's Ministers, but they cannot avoid observing that it is not a little extraordinary that those who are so clamorous for general free Navigation, in cases authorized neither by the Law or practice of Nations, should themselves so arrogantly violate the rights of fair Lake Navigation, when specially secured by a compact to which they are a party, and that those who were so irritable in the case of the Chesapeak, when a provocation not to be borne was previously given by them, should so unfeelingly fire without any notice upon unarmed men, who never afforded them even a shadow of pretence for so doing

As to the Second point Viz. The heavy loss and damage sustained by the seizure of their property a Statement of which is annexed the Memorialists entreat that your Excellency will be pleased to lay the same before His Majesty's Minister, that a full pecuniary indemnity to them for the injury in all its consequences may be demanded and obtained from the Government of the United States.

Such cannot be less than £20 000 exclusive of the actual cost and charges of the goods, and absolute disbursements in various ways made respecting the same, making in the whole the sum of £26842 5 6 Sterling. The said sum will be found moderate, when it is considered that the value of the year's Outfit for the Trade exceeds £80 000. The plans for which were not only deranged by the Seizure of goods forming a necessary part of the assortment but the discouragement of the Partners, Clerks and Men of the Concern who winter among the Indians, has thereby been such as to create a despair of success and consequently will produce a diminution of exertion when they see so evident a proof of a plan to render it unavailing

The above however are not the only grievances respecting the United States, of which the Memorialists have had to complain in common with other British Subjects within the American Territory, for they have long suffered under the requirement of passes, exaction in duties and vexations in various ways which the Treaty according to its fair intent and meaning does not authorise as what can be more evasive, oppressive and preposterous than the American mode of exacting the duties on goods carried by British Subjects from Canada into the American Territory upon a *scale of calculi* on that in its principles might in some cases subject them to the payment of nearly double duty and in no case on articles rated ad valorem does it amount to less than an eighth part more duty than is paid on the like articles by an American at an Atlantic Port

Surely such could never be the meaning of a Stipulation about duties made for the very purpose of assuming an equality in that respect, to Indian Traders whether British or American wherever they might come into contact

The Memorialists have for some time seen progressing with extreme concern a systematic plan to drive the British Indian Traders from the American Territory by every species of vexation and they must soon succeed if His Majesty's Government does not take up their cause with decision for it was with feelings of a very unpleasant kind that they found the

Negociators with America appointed under the late Ministry, postpone the discussion of their grievances (although fully represented) to an indefinite period without any Stipulation for the remission of those fiscal exactions, under which they were and are in the meantime suffering.

The Memorialists therefore take the liberty of impressing upon your Excellency's attention for the information of His Majesty's Ministers the following consideration. That the Indian Trade within the American limits must speedily be abandoned by British Subjects if not protected against interruptions of free Navigation of the Lakes Fiscal extortions and various vexations. That if once abandoned it can never be regained and with its abandonment will finish British influence with the Indian Nations residing without the limits of Canada. That British Traders have materially aided in preserving that influence hitherto, the conviction of which is the strong motive with the American Government for wishing by every means they can devise to exclude such Traders.

If therefore the minds of His Majesty's Ministers shall be made up to the loss of that portion of Indian Trade carried on within the American Territory (which indeed is nearly the whole excepting the North West) and to the extinction of influence among the Indian Tribes as above said, then in such case it will only be necessary to obtain reimbursement to British Traders of past fiscal extortions and indemnity for the losses and damages consequent upon the late seizure of the property of the Michilimackinac Company, as also a consideration for the abandonment of their establishment in the Indian Country. But if His Majesty's Government shall consider such Trade and influence as fit to be preserved this can only be done by obtaining reimbursement and indemnity forthwith in respect to the past, and assurance of exemption from impositions and vexations in future. And further the Memorialists are of opinion that if British Traders do not obtain the right of going to the West side of the Mississippi to trade as heretofore (the exclusion from which the Americans are now about rigidly enforcing, upon pretext of that Country not being comprehended in the Treaty of 1794) they must in any event soon abandon the Trade in the east of the Mississippi as an object not worth pursuing.

The Memorialists consider it proper to add that they are able to substantiate the various facts herein set forth. They therefore most respectfully entreat Your Excellency to lay their complaints and observations before His Majesty's Ministers that such measures may be adopted as in their wisdom shall seem meet for obtaining the needful redress in the premises, and they were ever pray &c.

Montreal, 20th October 1808.

Forsyth, Richardson & Co.
M Tavish McGillivray & Co.
James & And McGill & Co.
Parker, Gerrard Ogilvy & Co.

Estimate of the Loading of Eight Batteaux or Boats, the property of the Michilimackinac Company seized on the Waters of Lake Ontario and in the Entrance of Niagara River by John Lees Collector of the American Custom of the Port of Niagara on the 21st, May, 1808 with the various Expences and Damages incurred in consequence of said Seizure.

Prime Cost and Charges at Montreal of the goods	5218 11 5
The Expence of these Boats including Men's wages, provisions &c	828 6
Expences incurred by desertion of Men in consequence of the seizure, Mens Wages to replace the Deserters, provisions	574.13 7
Expences incurred by Messrs Michaels & Nichols on their mission to Washington & Mr Blakleys to Niagara	225
Injury sustained by the Seizure in derangement of the Trade &c. &c. Our Business was at a Stand for a considerable time not knowing whether the rest of the Boats might not meet the same fate the progress of our Affairs was thereby arrested at St. Joseph, and the whole of our Goods to make out our Outfit eventually dismounted which were in consequence made very deficient and incomplete more particularly with respect to Guns Gunpowder and Blankets Articles indispensable in our Trade from this circumstance results many doubts in the minds of the people in general and particularly the Indians with respect to our rights within the American Jurisdiction which threw a damp on our Credit in the Country and may lead to the most injurious consequences.	20 000
Sterling	£26 842.5 4

Montreal 20th October 1808

Forsyth Richardson & Co.
M Tavish McGillivray & Co
James & And McGill & Co.
Parker Gerrard Ogilvy & Co

(Endorsed —

Memorial of Merchants at Montreal 1808)

It was accompanied by the following letter addressed to the governor general's private secretary:

Montreal, 15th December 1808

Dear Sir —

The propositions before Congress for non intercourse will, if carried into a Law so seriously affect the interest of the Michilimackinac company who have a very large property now within the American Territory in the Indian Country and the nature of whose Trade requires expensive preparations to be made during the winter for that of next season that it is of essential importance to them to ascertain with as little delay as possible whether the non intercourse is intended to do away the permanent part of the Treaty of 1794, or if there will be a special exception in regard to the Indian Trade carried on by British Subjects from Canada as was the case in the existing non importation and embargo Acts. —

I am therefore directed by that Company to request you will have the goodness to communicate to His Excellency the Governor in Chief their intentions of sending to Washington a person with a Letter to His Majesty's Minister there for the purpose of soliciting his aid to ascertain the intended operation upon Indian Trade from Canada, of the said propositions.

They most respectfully entreat His Excellency that he will be pleased to recommend to Mr Erskine the obtaining the information in question as involving momentous consequences to the property and interests of many British Subjects.

The person intended to be sent to Washington will remain for Mr Erskine's answer and will be one in whom every confidence may be reposed as to safe delivery of any despatch which His Excellency the Governor in Chief may see fit to send as also to bring safely back any despatch which may be confided to him but will not possess sufficient understanding to be entrusted with personal communications being only a faithful servant, who is acquainted with the route and mode of travelling in the States.

He will pass through New York and could leave with His Majesty's Consul there any dispatches or letters intended for England by the Packet —

I have therefore very respectfully to request His Excellency that such dispatches as he may be pleased to send for that conveyance be transmitted to me as early as his convenience will allow of —

[illegible] and regard.

Dear Sir

Your most Obedient and Humble

Servant.

JOHN RICHARDSON on behalf

of the Michilimackinac Co.

Herman W. Ryland Esquire

Endorsed

15th Dec. 1808

From Mr. Richardson

The writer of the following letter was for many years one of the principal merchants of Niagara and its first postmaster, a justice of the peace and commissioner of highways.

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 29 Decr. 1808

Dear Sir —

It is rumoured here that Government are about to dispose of the Land at the Sixteen Mile Creek in this District (containing the salt springs) upon rent or lease.

Being at present out of business and of a disposition for exploring I am vain enough to imagine that in the possession of them they would be of greater benefit to the public than they are at present.

At the same time far be it that I should in the most remote degree Aim at the rights of others.

A Line from you on the above subject will greatly oblige

(Sundries, U. C. 1808.)

James Crooks was another energetic merchant, who was one of the first, if not the very first of the persons, who shipped flour to Lower Canada. He had lately married Jane, eldest daughter of Thomas Cummings of Chippawa, who was engaged in the same business. The right of developing water power above Niagara Falls had been the subject of many previous applications.

FROM JAMES CROOKS TO WILLIAM HALTON

Niagara 16th March 1809

Sir

When at York a short time ago I had the honor of submitting to the consideration of His Excellency the Lieut Governor the Petition which I now beg leave to inclose the prayer of which is to solicit a Grant of some small Islands in the River Niagara nearly Opposite to the Bridgewater Mills, with the view to the erection of similar ones and other Machinery of which this flourishing part of the Province placed under His Excellency's care stands greatly in need of —

I owe an apology for obtruding again upon His Excellency's most precious time after the answer he was pleased to make that he could not Grant Islands, but the importance of the Application as well to myself as to the Country impels me to the hope that His Excellency viewing it in relation to the latter may be pleased to point out the channel thro which application should be made And by giving his sanction promote it.

Should his Excellency be pleased to give to this applicat on any of his attention you will by communicating confer a favor on

Sir

Your most Obedient &c

JAS CROOKS

(Sundries U C 1809)

John Warren who had entered the army as a drummer boy had been assistant commissary general at Fort Erie for about thirty years and when it was created a port of entry he was appointed collector of customs and inspector of flour and pot and pearl ashes He retained the former office until his death. He was named as a magistrate in the first commission of the peace and commanded the third regiment of Lincoln militia for many years.

FROM JOHN WARREN TO WILLIAM HALTON

Fort Erie 6th April 1809

Sir

His Excellency the late Lieutenant Governor was pleased to grant me the appointment of Inspector of Flour and Pot and Pearl Ashes for the District of Niagara my advanced Age renders me incompetent to the Duty I therefore beg leave to submit to His Excellency Lieutenant Governor Gore the propriety of my resigning said appointment humbly requesting his permission to do so. It is not for me to presume to recommend any Person for the appointment, yet I humbly beg leave to say I do not know any Person more fit than Mr John Muirhead of Chippawa nor should I ever have attempted to mention him, was it not that His Excellency's goodness might induce him to think that I might wish it for one of my Sons, which I truly do not, nor would the appointment suit them. —

(Sundries U C 1809.)

The imposition of fine upon indigent offenders some times was attended by awkward consequences and required the intervention of the magistrates to obtain a remission of the sentence

PETITION OF MAGISTRATES OF NIAGARA

To His Excellency Francis Gore Esquire Lieutenant Governor of the Province of Upper Canada, &c &c. &c

The Respectful representation of the undersigned being Justices of the Peace in and for the district of Niagara

Humbly Sheweth

That at the last General Quarter Sessions of the Peace held at Niagara, in the month of April now last past certain men named John Shaw James Conway Elisha Bondy Cornelius Barns, J V Lambert, James Harris, and William Ingram were indicted and convicted of an Assault and false imprisonment on the person of one Zach. Harvey a Citizen of the United States.

That the judgment of the Court was that each of them should pay a fine to the King of Ten Pounds Currency besides an Imprisonment of two months in the Common Gaol

That the term of their Imprisonment is nearly expired, but they are totally incompetent to pay the respective fines imposed upon them, and that without Your Excellency's benign interposition they must suffer a perpetual imprisonment.

The Justices aforesaid beg leave further to represent to your Excellency that from Circumstances that have since come to their knowledge, had these been known at the time the Fines would not have been imposed or at least greatly lessened —

Wherefore the undersigned Justices respectfully request your Excellency would remit the aforesaid Fines as Imposed on each —

SAML STREET J P
ROBERT KERR J P
ROBT ADDISON J P
THOMAS DICKSON J P
J BALL J P
THOMAS CLARK J P
J MUIRHEAD J P
JOHN BALL J P

Niagara 5th June 1809

(Sundries. U C 1809.)

Since the organization of the province a considerable num ber of Mennonites and Tunkers, mainly Germans from Pennsylvania, had come in and settled, for whose encouragement an act had been passed in 1793 by the provincial parliament exempting them from service in the militia on certain conditions. Their sons were now becoming liable to enrollment on attaining the age of sixteen.

THE PETITION OF MENNONISTS AND TUNKERS

To the Honorable the Speaker and Members of the House of Commons of Upper Canada in Parliament assembled

The Petition of the Society of people called Mennonists and Tunkers,

Humbley Sheweth

That by an Act of the Province, passed in the thirty third year of His Majesty's reign, Your Petitioners, after producing a certificate from three or four respectable people, one of whom must be a preacher in the Society to which they belong, shall pay in time of peace Four Dollars a year, and in time of invasion or insurrection Twenty Dollars a year, for which favorable law and liberty of conscience we are thankful to God and the Government under which we live. And whereas many of Our Sons now under age and incapable of judging in matters of conscience, are not as yet actually considered as Church members and cannot of course secure the necessary certificates, we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves, that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty one, or until they be admitted as Church Members.

And your Petitioners further pray that your Honorable Body will take into your consideration the many difficulties which poor people with large families have to labour under in new settlements and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners, as in duty bound shall ever pray.

This petition, which was read in the Legislative Assembly on the 10th February, 1810, was signed by two preachers, two elders, and thirty five members of the Society of Mennonists and Tunkers, who had become numerous in several townships of the Niagara district. Another petition to the same effect, read the same day, bore thirty four signatures, mostly in German script. An act was accordingly passed during the session for the relief of minors of the Societies of Mennonists and Tunkers.

The discontent existing among the Six Nations is shown in the following report from a veteran interpreter frequently known by the name of St John who had removed from the mouth of the Humber river to Ancaster where he had built a flour mill and in subsequent minutes of a council held with them.

From J. B. Rousseau to William Claus

Ancaster March 1st 1809

Sir,

I have taken the earliest opportunity to transmit to you (John Fraser) an exact Translation of a speech made in Council by the Six Nations of the Grand River held at the Onondaga Village relative to their land Affairs as well as respecting the White Settlers on the said River and within its vicinity — I met there in Council pursuant to your desire and also their request

They have proposed to send you their resolves made in Council in Writing (which is according to a report made to me by John Fraser) but should it not come to hand in due time you can depend upon the reality of the inclosed. Why I say so, is because I have understood that since I left them they have either Added or altered their Minds in some respect.

During the time of the foregoing part of the Council Harahogah and ten other others of the tribe (of Mohawks) including Doctor Aaron seemed to agree to the resolutions of their Brethren excepting when it came to the determination of Mr Jones's land which did not appear consonant to his & their opinion and in consequence thereof they left the Council before the issue of the business was closed. The different Nations met in Council were the following — Onondagas Senecas — Lower Kayugas — and the great part of the upper Kayugas excepting the little Chief Kachanion — Tuskaroras — Oquagas — excepting Joseph and the Oneidas — A Tuskarora Indian has lately arrived from the United States and used his influence among them exhorting them to leave off the use of spirituous liquors, his prevalence has had the desired effect for the present — how long they will remain in sobriety will be better known hereafter. They have not appointed a number sufficient to transact their business which was according to request last fall but instead of following your desire have only nominated a few — which will more fully appear at their arrival at Fort George — with the translation of their Speech — for which purpose they are merely nominated to deliver the speech to you — its probable I shall be down about the time that the Indians deliver you their speech & if any difficulty should take place perhaps it may be in my power to explain it. The two Hurons was detained at the Council place about one Day

I am Sir &c

J B ROUSSEAU

Wm Claus Esqr
Dy Supt General
Indian Affairs &c

P.S. I attended Council for the space of five Days before their business came to a determination

(Claus Papers, Vol 9 pp. 259 260)

PROCEEDINGS OF A COUNCIL WITH THE SIX NATIONS

At a meeting held at Fort George — Council House — Friday 10th March 1809 — with the Chiefs and Warriors of the 6 Nations at the Gd River.

After the D. S. G. returned their Message (4 Strings of Wampum) & saluted them Old Patterson a Mohawk got up & spoke as follows

Brother

I salute you in the Name of all the Nations from one place & desire you to listen to me you have many branches of business to do and but we have something now to communicate to you that come from the bottom of our Hearts

When any business is to be done the Chiefs first assemble & consult & when the Chiefs find it of such a Nature that they can not settle it it is referred to the Warriors & should they not agree the Women take it up these customs are well known to you

Brother

When we first got acquainted with White people we had a person Peter to instruct us in our business after this Man your gd father Sir W Johnson came in his place he was our friend and when he gave us anything to drink he always told us to take it off from the [illegible] Name he was very kind to us & never let us want he gave us every thing in good humour he got acquainted with our customs & manners & told us he thought he would put us in a better way of doing our business. his advice to us was to listen always to our Father the English King but that if we attended to the french that we would fall we saw his words were strong & told him we will attend to them it is a strait road & we shall certainly follow it & that we would always have some young men on the watch & if any

danger appeared he should know it & he promised to do the same by us & cautioned us against the white people who were making Settlements on the River & held us strong by the hand that none might break us loose from the King & said our Arms should be hung with silver that it might not take rust now

Brother

I have explained to you the whole of the early proceeding between your forefather & us. it is our firm desire that we should walk in the same road all the Chiefs here present remember those transactions & we remember he gave us every assistance when we were disturbed on the River he used all his influence to keep us united & we hope his gd Son will do the same for us— we still remember that when he laid down his head that we would have some difficulty

Brother

the bad Birds still fly about to you & us We bury that & not listen to them.

Old Clear Sky then addressed the Chiefs & Warriors & said after they consulted together on public business, they according to their old custom communicated the result to the Kings fire & that our young Chief Blank will speak & we desire the Supt to listen

——spoke

Brother

You who have the charge of our affairs listen to us I speak as the Six Nations what I say now is their words and sentiments therefore listen attentively — we did not finish our business at the long House but have since here

Brother

The people our Brethren on the other side (Buffaloe Creek) have given up their claim to the Genl Council fire which is kindled at the Gd River at the Onondaga village — the last business done here was much to your satisfaction you expressed yourself so it was so to us it united us in a great measure therefore it must have been gratifying to us but there still appears to us some difficulty which we will relate to you. I am very sorry to inform you that notwithstanding all that the Chiefs have done that there is Something that affects us much & you also notwithstanding the Belt passed all round the Nations there is still something necessary —

Brethren (addressing the Indians.)

Listen to me when at the Head of the Lake last fall the business was defered untill we met at the Long house as there was something yet that was not right

Brother

You then strongly recommended to us to consult together at our Council fire & try our utmost to come together & let you know your requested us by Wampum to strengthen ourselves & be one & we came together & agreed upon our public concerns & wished to appoint 15 or 20 principal men to transact the business for the whole of the Nations on the Grand River for these purposes we have used our utmost endeavours but have been so unfortunate as not to succeed I regret to say that you see two parties before you but do not look on us as the aggressors we are the Chiefs & great men one thing is the cause of our misfortune Land if this was removed we might perhaps come together I wish you to comprehend me it is not the large party that makes this difficulty — we have come to lay the business before you & request you to assist us we have laid the business before you & call on you for your help & we think you may be the means of doing every thing for us that we can wish & we have also made up our mind to keep our lands it never was the King's intention that we should part with them we do not want to throw them away what has been confirmed we have nothing more to say on & also some where there has been people settled for some time but there is others we wish to speak about those latter lands may be of some benefit to our rising generation

Brother

About 5 years ago we began to get some insight into our land business at the Council you held at the Grand River at that time we came to an agreement that you should have the charge of our money we wish to have some Security for the property sold, the King gave you & we wish you to continue the charge of our money & we request that the Governor would have the goodness to get us an acc of our money that is lodged in the Funds & the Interest arising therefrom Annually

Brother

We have been very foolish & parted with our lands we have grown wiser the Land sold to Stedman it appears great difficultys have arisen if we can with justice we wish to have it returned to us.

A tract of land on the Governor's road has been laid out as We are told for the payment of Surveys, we know nothing about it & wish it to be withheld again there is another man at the head of the Chippewa (Canby) who has got land on the same road it will make us poor none of the Chiefs know any thing about either & lower down Mr Mallory has got a piece of land, we know nothing about any of them A number of families who have settled on the road to Long Point (Mount pleasant) we receive no advantage whatever from them we wish that it may be leased for 20 years that we may get something for them & at the expiration to revert to us. there is one man in particular Andw Nelles we wish your attention here also — The Lands for Dr Kerr's child & Brant Johnson we wish to remain just as they were neither to strengthen nor to weaken them. there are some people on Fairchild's Creek who are settled there without our knowledge. that Land on the road from the Head of the Lake given to Capt Brant we wish confirmed to Mrs. Brant.

Brother

I now go down the River there are some there in the same Situation without our knowledge. by the Delaware Village, there is a Tract of Land for a Surveyor of 4800 acres. we do not know any thing about it we wish it to be thrown into our Lands again (that is Mr Aton & the lower Kayugas doing by the advice of Mr. Phelps. It has been the wish of some to divide the Lands & the line to cross by Mount pleasant, this we never would consent to for many reasons, it would in the first place make a final division among us. & again as we are living in the Heart of our Father's Country we ought to be as one in case of any trouble that we might give him all our assistance in his troubles with his Enemies.

Brother

Here he repeated the speech delivered them by the Govr on his arrival in the Country.

Brother

We now request you to make him acquainted with our wish is that we may have a Deed for our Lands that remain as the white people are constantly throwing it up to us that we have no Land

NOTE With a View that they should get a Deed that they may Rob you of your Land — Three Names were mentioned John Thomas Wm Nelles.

Brother

We now come to the loss we have met with in our Mill being burnt we remember the Govr who died at Quebec sent a man to look for a good place to build a Mill for us when the old Mills were burnt. Some years ago but he heard that Capt Brant was going to build a mill & he stoped we now in the Name of all the people on the Grand River ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask of him to change the school master that we have as he will not attend to the Children & we wish to have a man to speak English.

11th March the Chiefs assembled at the D S G.s Quarters & after examining the plan of the Grand River & pointing out Several places that were occupied by people that they conceived had no right to settle on them finished by the Onondaga Chief laying his hand on a Spot of Land at the Mouth of Grand River & saying

Brother

The person who has been working for our benefit in our Land affairs for these 5 years we think we ought to give him something we therefore agree to let him have that Spot of Land at the Mouth of our River but we expect that he will always give us his advice & help us with our Lands and all other matters and where the Land is required he may be absent or Sick we expect that in that case he will find some body to do any thing that may be wanted by us.

Fort George Council Room
March 13th 1807 Present

Col Proctor Commanding
W Claus D S.G.
Major Short 41st Regt
W Saunders Lt & Adjt 41st Regt
Alex Eage
Thos. Barnard Ensign 41st Regt.
David Price Benjn Fairchild
J. B. Rousseau Interpreters.

Blind Paterson spoke

Brother

The Great Spirit has been pleased to let us meet this morning at Our Fathers Council Fire to Speak in the presence of our Brothers the Officers of the Fort we return thanks to the Great Spirit & open your Ears that you may hear & and your Eyes that you may See

Brother

We met you here 3 days ago & talked over all our own old & early promises with our forefathers & yours & I will now repeat the Same in the presence of our Brethren the red Coats

Here Paterson repeated what past on the 10 th. The young Onondaga Chief then spoke.

Brother

Listen, we now have met to finish our business here we

---

1 William Dickson

have told you before all that we have been about at our Council at the long house we have spoke about our Lands & now agree that the Surveyor (Jones) may have half of the Land at the Govr's Road (600 acres) but no more

We have many difficulties among our other white people that are settled on our Lands, they steal our Hogs work our Horses & we can get no redress & when we speak to them they throw it in our faces that we have no land & the upper part of the River we are told is not ours but belongs to the Chippawas this is very hard & we hope you will assist us the Lawyer who helped us so long we wish to have confirmed to him the Land we gave him at the Mouth of the River & for which we expect he will always give us his advice in Land business & help, when those people rob us of our Cattle upon these terms we gave him the Land & we expect that he will give us in writing that assurance and that the D. S. G. & the Commdg Officer will sign it

Brother

We have something more to mention to you a Lawyer (Mr Borthwick) came to us some time ago & asked us for payment of a Note of hand that some of our Chiefs Lent their Names to for W. K. Smith & told us we had better pay him quietly that if we did not he would put us in Gaol this hurt us much now Brother we hope Mr Dickson will help us in these matters with your assistance —

Old Clear Sky

Chiefs & Warriors — It is customary among us when any person has any concern with us to give him a Name that we may know him the person whom we have given some Land to for doing Land business for him we call four Eyes — by which we shall after this know him.

W Claus D S G

(Claus Papers, Vol 9 pp. 263 279.)

At the fall assizes a strong recommendation to mercy was made by the petit jury for one of the early settlers of Stamford who had been convicted of some unnamed offence. It was supported by a petition signed by a number of the leading magistrates and many other respectable residents.

RECOMMENDATION OF THE PETIT JURY

The King
vs
Silverthorn

The Petit Jury in finding a Verdict in this case are governed

by the evidence before them but being all of them personally acquainted with the Prisoner and many of them from his youth to this time beg leave to state to the Court that his demeanour thro life has been peaceable with but one exception — That he is an honest man and has by his industry and frugality acquired a handsome property — He has a large family who are deeply interested in his fate The Jurors therefore separating his general conduct from the substance of the evidence given against him in this case beg leave to recommend him to the mercy of the Court —

S. Street Jr
Abraham Bowman
Arch Thompson
Chas Willson
John Thompson
Ebenezer Skinner
Thos. Cooper
Adam Bowman
Aaron Crane
John Knox
John Burch
Adam Hutt

Niagara Septemr 29th
1809

(Endorsed in Pencil Pardon)

The Petition of Magistrates and Others

To His Excellency Francis Gore Esquire Lieutenant Governor of The Province of Upper Canada &c &c &c

The Petition of the undersigned Magistrates and Inhabitants of the District of Niagara

Humbly sheweth

That most of your Petitioners were present at the Trial and conviction of John Silverthorn of the Township of Stamford at the Court of Oyer and Terminer last holden for the said District of Niagara.

That they were impressed with sentiments that such Trial and conviction was had upon the strongest Evidence under the most humane and tender Charge from the presiding Judge and that the convicted had the most fair and impartial Trial

That your Petitioners feel that the solemnity of his Trial and the exposition by the Court of the existing Laws must have impressed upon every hearer the aggravated Crime of which he stands convicted and cannot fail as effectually to restrain the Commission of a like Offense as if the sentence of the Law was carried into execution

That the unhappy Object of this Petition is one of the earliest Inhabitants of this Colony and his Character and conduct preceding to the act for which he has been convicted has been such as to approve him a firm adherent to His Majesty's Government and induce a ready obedience to the Laws of his country.

Therefore we his Majesty's most dutiful and loyal Subjects humbly beg leave to recommend to your Excellency the unhappy convict as an Object of His Majesty's royal mercy and compassion.

J MUIRHEAD
ROBERT KERR
JOHN SYMINGTON
JAS CROOKS
S. HATT
THOS CUMMINGS
ROBT NICHOL
JOHN MCEWEN
WILLIAM MCKEAN
JOHN J LEFFERTY
ISAAC SWAYZE
WILLIAM J KERR
JOHN CLARK
JAMES SECORD
WILLIAM CHISHOLM
A. CAMERON
GEO. HAMILTON
THOS. CLARK
JOHN MCKERLIE
CALVIN BANISTER
WILLIAM ROBERTSON
JAMES RACEY
THOS. MCCORMICK
WM GILKISON
JAMES COOPER
JOHN REILLY
BENJAMIN CORWIN
ADAM SPENCER
PETER WRIGHT
JONATHAN DEAN

WILL CROOKS
AMOS CHAPMAN
JAS COFFIN
JNO POWELL
T. BUTLER
(Illegible)

J P BALL
JOHN BALL
RALFE CLENCH
(Illegible)
JOHN MUIRHEAD
JOHNSON BUTLER
ALEX. STEWART

A letter from George Hamilton to Charles Askin, dated at Queenston on the 15th December, 1808, announced the serious illness of his father, which eventually proved fatal, and his fears of an unwise third marriage, then apparently not improbable.

I have but a Moments time to answer your kind letter of the 5th Instant which I only received yesterday — I can easily forgive you for not writing to me, as it was as much my fault as yours. I am sorry to say my Father has been confined to his bed for this Week past with a severe cold, which settled in One of his knees & has given him such pain as to prevent him almost from sleeping or eating since — & Unfortunately to add to the evil the Doctors Mistook the complaint entirely were applying things that only made it worse however yesterday they found it out to be an Erysipelas or St Anthonys fire, & have altered their plan the inflamation to day seems to have fallen into his ancle and I hope with a few more applications they will be able to drive it away entirely

I thought Lyons Marriage would surprise you and I agree with you that it was the best thing he could have done to add to his happiness he was a month ago blest with a fine thumping boy his very picture. I have likewise to ask your congratulations on being advanced to the dignified station of an Uncle my Nephew is a fine little fellow & promises to be every bitt as crabbed as his father[1] — Your friends Mrs Conway & Smith have likewise been productive in the same way — Now for the Marriages James Crooks has been United to Miss Cummings[2] & William to One of the Miss Butlers[3] — Our friend Featherstone has also at last been favoured with the fair hand of that fickle Nymph Miss Duane — that foolish fellow Gallipeace to a Child of 13 years Old & who has already twice left him at her Mothers instigation in order to draw Money from him to get her back — She has a third time gone off to Buffaloe Creek & the poor infatuated Devill has slipped after her with bag & baggage — you will say this is all very pleasant News, but here follows some not quite so agreeable — & Will surprise you very Much. Could you or anybody else ever conceive so unlikely a thing to happen as a Marriage between my Father & the Widow Forsythe[4] of all the women in the World but which I am afraid Will be the case — I had observed & was pleased to see that my father was fonder of visiting his friends in Niagara than usual thinking that the exercise would be of great Service to him & never suspecting the least what was going on untill it was whispered to me a fortnight ago that he was all this time busy in paying his addresses to the

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[1] This child was Robert Hamilton, the third of that name (1808-88), son of the second Robert Hamilton. [2] James Crooks and Jane Cummings, daughter of Thomas Cummings of Chippawa, were married on December 8. [3] William Crooks and Mary Butler were married on December 1. [4] The widow of George Forsyth, a merchant and magistrate at Niagara, who died in September 1806.

Widow — & I have since drawn out from Peter[1] that the One day when Peter was comeing up cook & locked him up in her Room & desired him to tell his father that it was a fine day to take a Ride, & that the next week would be a good time to settle their business, he immediately after this Message sett off in the Chair his sore leg has intervened since that & she yesterday came up in One of the Worst days you ever saw to see him & remains here still notwithstanding I have got both the Doctors to speak to her & to tell her how very indelicate & improper it was for her to remain here at this time All his friends you may believe feel very indignant at the Idea of such a Match & have I believe talked him pretty severely about it, but I am afraid too late to do any good — He has never Mentioned the business to any of us, but if he does I will tell him what all his friends think of it whatever may be the consequences to myself as I cannot bear the idea of his making himself unhappy for ever without warning him of the consequences — I mention all this to you my Dear fellow as I know it will be as safe with you as with Myself — you Will take care in writing to me to enclose the letter to Wm [2] or Lyons[3] or anybody you may be writing to with directions to give to Myself — Your letter brought me the first news of your fathers accident & we were glad at the same time to hear of his recovery — My Father desires me to say that he cannot write at present but will by the first Oppy when he gets better — Pray have the goodness to answer this by the first Oppy that I may know it has come safe to hand — James has just come to take this down to the Post so I must conclude this long scrawl

(Askin Papers, Dominion Archives.)

A letter from William Robertson to Charles Askin written on the same day states that Robert Hamilton's condition was even then considered serious

Queenston Decr 19th. 1808.

Dear Charles,

We are all happy to hear that your Father is so fast recovering the use of his arm — to a man of his years it was an unfortunate accident you ought not to allow him to go out in any carriage without one of you with him — his loss to the Family would be lamentable — I know well their affection to him

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Peter Hunter Hamilton, seventh son of Hon. Robert Hamilton and half brother of George Hamilton. 2. William Robertson, a merchant at Queenston and a maternal half brother of George Hamilton. 3. Probably James Lyons, a clerk to Hon. Robert Hamilton.

He will be very sorry to know that our good Friend Mr Hamilton is at present rather in a dangerous way — being some days ago at Niagara he caught cold which settled in his knee — it is much swoln gives him acute pain and is attended with some Fever — I think the Doctors call it an Erysipelas — I was with him last Evening he gave me your Letter to read — enquired if you said anything of what you were doing — said he was afraid it was not much. I have heard him before express his surprise at your not writing him on this Subject considering the Interest he took in your Welfare you must certainly have been neglectfull if not worse.

With respect to your Memorandum left with me the following Letter from Jno. Warren jr will (in part) explain what has been done.

Fort Erie Octr 13th. 1808

Your favor of the 6th Inst. is now before me — Capt. Chapin has not as yet delivered the Salt. I shall soon make a 2d demand for the payment of his Note. Agreeable to your wish I have disposed of the Vessell and rigging to the Fellow who built her (Dayley) for eight bbls of Salt — all the rigging I could save is but little all the small ropes & running rigging was taken as well as all the Iron that could be come at before I had any command of her — I think she is tolerably well disposed of — If the Fellow comes forward as agreed on.

(Signed) J. WARREN

Mr Warren has just arrived — Chapin has gone down the Ohio and Dayley has not as yet performed his agreement

(Askin Papers Dominion Archives.)

White pine on all Crown lands had been strictly reserved for the benefit of the Royal Navy and the Surveyor of Woods and Forests had been consequently instructed to report where such timber was to be found to prevent depredations.

FROM MAJOR CHRISTOPHER HAMILTON TO WILLIAM HALTON

Fort George 9th Novr (1809)

Sir/

I think it my duty to state to you for the information of His Excellency the Lt Governor that it has been reported to me that a Man of the name of Martin who is building a Vessel at the head of the Lake is cutting a quantity of White Pine

which I understand is reserved for the use of his Majesty
I have the Honor to be &c

C. HAMILTON
Major 100th Regt. Comg
Ft. George

(Sundries Upper Canada, 1809.)

The sheriff of the Niagara District who was also Surveyor of Woods and Forests was instructed to investigate and made the following report

Niagara 9th December 1809

Sir

I received your Letter of the 11th of November and in obedience to His Excellency's directions went to the Head of the Lake and made the necessary enquiry. I examined and found some Oak timber in Possession of Mr. Martin but of so little Consequence that I did not think it merited any attention. there was no White Pine Cut on any reserve. I informed him of the impropriety of Cutting timber on His Majesty's reserve without permission. he said he was sorry for having cut the Oak timber but would Cut no more —

I have the Honor to be &c

THOS. MERRITT

Wm. Halton Esquire
York

(Sundries Upper Canada 1809.)

A proclamation was published as a result of this and other information on the 29th December 1809 announcing that any Person cutting Timber on our Crown Lands ungranted, or on our Crown and Clergy Reserves, is guilty of a misdemeanor subject for a first offence to a fine of £20 or twelve months imprisonment for a second offence to a fine of £30 or imprisonment for eighteen months and for a third offence, he shall be deemed guilty of a felony punishable by transportation for seven years. All timber so cut was to be seized and sold for the benefit of the revenue.

A tattered and scarcely decipherable letter from George Hamilton to Charles Askin among the Askin Papers gives a further account of his father's declining health and damage caused by an astonishing ice jam in the river

Queenston Jany 20th 1809

Dear Charley
I have this day received your short favour by the Mail

[illegible] Lyons swears the next time you play him such a slippery trick he will send you a ream of Wrapping paper & let you pay the Postage & Squire William does not seem in much better humor. Every body here felt sorry for poor Laughton, that from his weakly appearance, his friends did not expect to see him again. We were not surprised to hear of the failure of the Detroit Bank. fortunately nobody here has any of his Excellency's paper except the inclosed Bank Note 75 Dols. which my Father has desired me to tell you to make the most of — Do not write anything particular to myself at present or if you do put it on a piece of paper by itself for the Devill would have it in spite of your precaution William Robertson unfortunately saw your letter inclosed in Lyons & Mentioned it to me before my Father of Course I had to get it to tell him the news. When he asked me if there were any secrets in it I had to tell him there was which seemed to give him uneasiness for which I was very sorry as he is not well enough at present to be put out of humor tho a great deal better since my last by a constant application of Poultices they brought the matter to a head by making an incision have succeeded in draining a great deal of the ([illegible]) humours out of it for this fortnight past but the knee is as much swelled as ever and gives him a great deal of pain when he attempts to put it to the ground which I can only account for by the constant cold applications for a fortnight without any effect may have occasioned a detention of the humors above the knee & has given the leg a Numbness. What I am afraid is will not soon recover however we must hope for the best. The Doctors are not so much to blame as it was my Fathers earnest wish to dispell it if possible without making an issue in the leg but they should not have indulged a sick man so long in his own way when they saw it attended with no good. the Ladys business remains in Statu quo and except and except (sic) an occasional visit nothing I fancy will be decided on till he gets better. your River is nothing in comparison with ours about 2 Weeks ago we had some very violent Winds from the S West which broke up the ice in Lake Erie & drove it down in such quantities that for 3 days you could hardly see the water for the ice when it was closed opposite our house it only took an hour to fill up solid to the black Rock with a Ridge in the Middle nearly upon a levell with the banks, in 4 hours afterwards people were seen crossing over — the ice

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1 Established in 1806. Augustus B. Woodward, chief justice of Michigan, was the president. General William Hull, governor of the territory, was a small stockholder. The names of Richard Pattinson and William Gaskins of Sandwich also appear in the list of stockholders. Collections of the Pioneer Society of Michigan, Vol. VIII, p. 575.

raised so very fast that we began immediately to take all the goods out of our lower stores & put them into our large one & 2 days ago it only wanted 3 feet of overflowing the bottom, it has completely up sett McCormicks'[1] & has raised our little one almost on one end had not Mr Clark[2] taken the precaution to fill his falf full of stones it would have gone like the rest as it is some thing racked & had the ice raised a little higher nothing could have saved it he has about £600 worth of Iron in the Lower Store which he could not get away in time, both the stores on the other side of the River are swept away with about 400 bbls of Salt & some whisky & Pork for the American troops the wind is now again at S. W with a Violent thaw & I hope it will take away the ice without any more damage Sutherland has returned from Scotland without bringing J. Robertson[3] with him which he says was only owing to the Govt. not allowing any person to leave the Country without 2 Weeks or a Month's application before hand poor fellow I hope that may be the only thing the matter with him but Sutherland like a blockhead left the letter in his trunk at Albany I have just learned that it has arrived on the other side — Our neighbour Phelps[4] Miss Hull & Robt Dickson[5] set off yesterday on a Jaunt to the States Phelps returns directly Miss Hull some time in April & R. Dickson goes to N York & is not certain whether he shall come back here or go to Montreal We have a Weekly Club every week for the purpose of reading the Papers, every One has a different paper & the person at whose house it is held takes care to send over the River & to Niagara for the Letters & papers after reading them we play at Cards until about 10 O Clock when we sit down to a good supper & generally contrive to end the Evening very Jovially — It is Mr Dicksons to day & Jack Warren is waiting for this — Dont you swear at me a little for making you pay the Postage for such long strings of Non sense but you must only be revenged by sending me as long in return here we are all in very good health & Wishing you the same blessing I remain &c.

(Askin Papers, Dominion Archives)

The arrest of a band of forgers in March 1810 near Queenston, caused considerable excitement and eventually much embarrassment to the magistrates. This event was briefly described in a private letter from James Kerby then a clerk for

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[1] Thomas McCormick, ([illegible]) a merchant at Queenston. [2] Thomas Clark. [3] His half-brother John Robertson. [4] Probably Elijah Phelps (1740–1843), an enterprising farmer in Stamford. [5] A retired trader in the Northwest, brother of Thomas Dickson of Queenston and William Dickson of Niagara and a kinsman of Hon. Robert Hamilton.

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Thomas Clark to Charles Askin of Sandwich.

'A few days since,' he wrote, 'we Queenston Volunteers cheerfully turned out to apprehend (in our neighbourhood) Seven d——n Stout, Strapping Yankees (and would you believe that Mr G. Drake is deeply in the plot) that have long been in the habit of Uttering forged bank Notes to a very great Amount' — knowing them to be such; they are all separately confined in Gaol. We cant at present say how it will terminate — but with more proofs they will come under the jurisdiction of *hanging* — a bad fate.'[1]

The discovery of an attempt to liberate the prisoners greatly alarmed the sheriff, Thomas Merritt, who made an urgent appeal to Samuel Street, chairman of the Quarter Sessions, for assistance on April 14.

"I conceive it to be my duty to represent through you to the Magistrates in Quarter Sessions that the Gaol of the District is Crowded with prisoners, many of whom are charged with the Crime of Forgery & that an attempt has already been Made by a Person apparently connected with them to introduce Clandestinely a file for the purpose no doubt of enabling them to escape.

"It is well known to many of the Magistrates that the Gaol is very insecure, The Timber being in many parts decayed and as it is uncertain to what Extent the Confederacy of Forgers and Coiners may exist, it must be Obvious to the Bench that the Sheriff with his ordinary Means has not the Power to Effectually Guarding the prisoners — It is consequently become necessary to provide Additional Means for securing the County Gaol against all Attempts from without or within, and at the same time by an immediate application to the proper Authority to procure a Commission for its immediate delivery.

"The Bench will do me the Justice to believe that every Exertion in my Power shall be used to prevent the escape of any of the Prisoners under My Charge but I must press on the Minds of the Magistrates that with my present Means & in the present Situation of the Gaol I cannot be responsible for the safe keeping of the Prisoners."

An emergency meeting of the magistrates was held at Niagara next day and by their advice Mr. Street addressed a

letter to the Lieutenant Governor

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* This offence had become so frequent that at the session of the provincial parliament ending on March 12th, 1810, an Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange, and Foreign Notes and Orders for the Payment of Money' had been passed.

[1] Canadian Archives, Askin Papers, Vol. 16. J. Bald. Sandwich, Upper Canada, 1810.

"The Magistrates of this District in Sessions, taking into Consideration the very critical situation of the District Gaol as faithfully detailed in the accompanying representation from the Sheriff, and the evil which would result to the Publick at large, should the daring Gang of Depredators now Confined therein escape the Punishment due to their crimes, have by their resolution Authorised me to apply to your Excellency for a special Commission of Oyer & Terminer for this District, which I have now the honor to do.

The Sheriff has so fully detailed this business that I have nothing to add thereto but to express my Conviction and that of my Brother Magistrates, that unless a Commission does issue without delay the Prisoners will escape and the ends of Public Justice be thereby defeated."[2]

It was not found expedient to grant this request but a military guard was detailed from the garrison to protect the gaol until the regular assizes, when five of the men accused were convicted and sentenced. After having undergone a part of the punishment the prisoners petitioned for a remission of the remainder. Mr Justice Powell, before whom they had been convicted, wrote on the subject from York on 21st March 1810 to William Halton, secretary to the Lieutenant Governor:

Charles Norton, alias Philander Noble, William Smith Crane, Levi Kemble Roberts, Samuel Spring and Joseph Harris were convicted at the last Niagara Assizes of a Conspiracy and sentenced to six Months Imprisonment from the 25th September last, Pillory and a Fine of Twenty pounds each, Imprisonment until paid & Security in £100 each & £50 two Sureties for their good Behaviour for two years — They have represented to the Governor that from their inability to pay the fine their Punishment will be perpetual Imprisonment which would never be the Intent of the Sentence — His Excellency in communicating their Petition to me as Judge of Assize expressed an Inclination to remit that part of the Sentence which continues the Imprisonment until the fine is paid either in Complaisance to a foreign Government. He declines remitting any part of the direct Punishments. I therefore think His Excellency may desire to be informed that the direct Imprisonment ends on the 26th Instant.

When the court of Quarter Sessions met nearly a month later, the convicts were still in the gaol and their case came up for consideration. The magistrates wished to get rid of them and Joseph Edwards, who had succeeded Street as chairman, was instructed to recommend their liberation. He wrote from

Niagara accordingly on April 17 to Mr Halton

"I am requested by the Magistrates in General Quarter Sessions to represent to His Excellency the Lieutenant Governor the situation of the four persons in the Gaol of this District under sentence for a misdemeanor in forging and uttering counterfeit foreign notes for the payment of money. They have undergone the Punishment of standing in the Pillory and the term pronounced for their imprisonment is (some time since) elapsed, paying their fines and finding security for their good behaviour are entirely out of their power and must operate as Imprisonment for life.

As such they humbly intreat His Excellency to exercise the most amiable part of the King's prerogative in granting them a free pardon for the remainder of the sentence. This their request they beg leave to assure His Excellency, is not on account of the burthensome expence (large as they have found it) that these Prisoners are to the District, but to prevent any attempt they might make to break Gaol, that (in their desperate case) the natural love of Liberty might excite them to, Especially since the Commandant at Fort George has found it necessary to request that the Guard might be withdrawn, and which has taken place."

The method of accomplishing this remission of the sentence was referred to Justice Powell for his advice which he gave in a letter to Mr Halton on May 1.

"When I did myself the Honor to submit to His Excellency's Consideration the Case of the Convicts at Niagara, sentenced for a Conspiracy to defraud by forged foreign bank notes, in order to obviate the possibility of their sentence operating a perpetual Imprisonment in case of Inability to pay the fine imposed upon them.

The mode of Relief which I took the liberty to suggest was to remit so much of the Sentence as directed Imprisonment until the fine should be paid and security given for their good behaviour — This may be done by a Charter of pardon not remitting the fine but all Imprisonment after the Six months of Punishment which will merely discharge them from Prison without releasing the fine —

From Joseph Edwards to William Halton

Niagara 17 April 1810

Sir

I am also requested to represent to His Excellency what

the Magistrates conceive an improper application of the Military reserve in front of the Town in the permission recently given of the Mr Stam presented (among others) by a Mr Spilman of his house thereby not only spoiling the view but by encouraging similar applications have the effect of shutting up the Town by a Range of Pickets. They therefore humbly request His Excellency's interference in preventing the enclosure taking place.

At this Session the Magistrates have approved of a plan of a Bridge of one Arch across the Grand River nigh the house of the Mr Staats presented (among others) by a Mr Spilman. The Estimate seven hundred and fifty pounds. Messrs Hatt, T. Clarke, Addison and others have come forward as his Securities and so soon as the bonds are completed I presume an application will be made to his Excellency for the money voted by Parliament the remaining sum being made up by private Subscription.

I have the honor to be &c.

Jos. EDWARDS.
Chairman
Genl Qr Sessions
Niagara District

Major William Halton
&c &c &c.

(Sundries, Upper Canada 1810.)

The recommendation of the magistrates for the remission of the remainder of the sentence passed upon the counterfeiters is shown to have been successful by the following order:

Lieutenant Governor's Office
2nd May 1810.

Sir

The Lieutenant Governor directs that you prepare a pardon to pass the Great Seal remitting the Imprisonment of Charles Norton alias Philander Noble, William Smith Grant, Levi Kemble Roberts, Samuel Spring and Joseph Hicks, convicted at the last Niagara Assizes of a Conspiracy

I have the honor to be Sir

WM HALTON Sy

The Attorney General.

On the 26th of February 1811 Isaac Swayze no longer a member of the Legislative Assembly having been defeated at the previous election by Samuel Street again presented a petition asking reimbursement for his loss by robbery

To the Honourable the Commons House of Assembly of the Province of Upper Canada.

The Petition of Isaac Swayze of Niagara most humbly sheweth

That Your Petitioner did heretofore humbly shew to Your Honourable House that a burglary had been committed upon his house on the night of the 28th of January 1806 at which time he was robbed of the sum of One Hundred and Seventy-eight Pounds Provincial currency then in his possession and received by him as Inspector of Licenses for the District of Niagara, for duties on Shop, Tavern and Still Licenses, issued 5th January 1806 exclusive of private property and money received on account of the District of Niagara, and that Your Petitioner was at the same time very dangerously wounded.

Your Petitioner now begs leave to press upon your consideration the honourable testimony of such facts as were then adduced by him on which your resolution of the 5th day of March 1807 was founded and humbly prays that Your Honourable House would be pleased to afford him that relief which in your wisdom you shall think the circumstances of his unfortunate case may require.

And Your Petitioner as in duty bound will ever pray.

ISAAC SWAYZE

Crowell Willson of Crowland then moved, seconded by Allan McLean of Kingston, for leave to introduce a bill for the relief of Isaac Swayze but the motion was lost.

The royal instructions to Lord Dorchester in 1791 had commanded him to direct the Surveyor General to report on all surveys made for settlement whether there were within such survey any lands fit for the production of hemp or flax. Ten years later in compliance with a circular letter from the Colonial Secretary General Hunter had requested the provincial parliament to give such encouragement as seemed necessary to stimulate the cultivation of an object of the highest importance in Europe at that time. An act was accordingly passed appropriating £250 for the purpose of purchasing and distributing hemp seed grain among the farmers and £500 to be expended in premiums and bounties for the cultivation of hemp. The Lieutenant Governor was asked to appoint a Board to encourage the culture, dressing and exportation of hemp. Hon. John McGill and Hon. D. W. Smith were the first commissioners appointed and in 1803 Hon. Thomas Scott the Attorney General was added to the number. In 1804 one thousand pounds were voted for the same purpose and James Baby, Richard Cartwright, Robert Hamilton and William Allen were appointed commissioners for the purchase of merchantable hemp at the rate of £40 Halifax currency per ton. Thomas Talbot was added in 1809 and on the death of Robert Hamilton, Joseph Edwards was appointed his successor. Premiums were awarded by the London Society for the encouragement of Arts, Manufactures, and Commerce, and a further grant was made by the provincial parliament in 1808.

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 9 August, 1810

Sir

As Commissioner for the purchase of Hemp I have lately been applied to by a Mr. Staats of the Grand River to take from him a Ton. Mr. Richard Hatt having also informed me that he will shortly have some to deliver for Sale, and having no public money for that purpose I am induced to apply through you to His Excellency the Lieutenant Governor for the price of two or three Tons and to request that the Warrant may be made to William Dickson Esquire whom I have duly appointed as my Agent for that purpose.

I have the honor to be Sir.

JOSEPH EDWARDS
Commissioner for the
purchasing of Hemp.

William Halton Esq
York.

(Sundries, Upper Canada 1810.)

William Claus's eldest son had obtained a commission in the regular army and had been ordered to join his regiment then stationed in Jamaica. This led to some interesting correspondence with Lieut. Colonel William Samuel Currey, who had been military secretary to General Hunter and had been granted the maximum allowance of twelve hundred acres of land as a reward for his services, which he wished to sell.

FROM JAMES GREEN TO WILLIAM CLAUS

Quebec 5 July 1810

My Dear Claus —

In consequence of your letter of the 11th June delivered by Mr. Crooks I immediately conveyed the 400 Acres in

Grimsby belonging to Lt. Colo. Curry for which Mr. Crooks paid me £150 — which Sum I remit by the Owen Glendower the 1[illegible]th Instant to Doctor Curry agreeably to Lt. Colo. Curry's Instructions — the Conveyance could not be perfected when Mr. Crooks was obliged to take his departure by the Steam boat but I afterwards delivered it to Capt. Evans conformably to Mr. Crooks's Instructions —

Lieut. Governor & Mrs. Gore have received every possible attention from Sir James Craig. Since their arrival we have had nothing but feasting — dancing and the like — they came very opportunely to attend the Races to-day — General Brock gave a dinner to the two Governors to day, and a Ball to as many Ladies as his room could conveniently contain — they danced in two rooms to the Band of the 8th Regt — which unquestionably is the best Military Band I ever saw both in point of Numbers & fine execution on their Instruments —

Capt. Selby of the Owen Glendower gave a Superb dejeuner on board his Ship the day before which was conducted in a Superior Stile — Lt. Govr. & Mrs. Gore were received with 13 Guns — Capt. Selby is a most excellent Character — devoid of that Pomp you often meet with in Naval Characters—

To day the races begin — dinner at the Bishops — Play in the Evening — To morrow races — dinner at the Chateau to a Number of Ladies and Gentlemen — and Race Ball at the Hotel in the Evening — Races again on Fryday and Saturday — on Sunday I presume the Governor will return in order to transact some indispensible business in his Province

Governor Gore has been very attentive to me he favors me with a long visit every morning at the Office — he called on me an hour after his arrival with Colo. Kempt

Adieu my dear Sir. Accept best wishes for yourself Mrs. Claus & your family from me and mine & believe me to be
Ever yours

JAMES GREEN

(Claus Papers Vol. 10 pp. 9-10.)

FROM WILLIAM CLAUS TO LIEUT. COLONEL W. S. CURRY

Niagara 16th Sept. 1810

My Dr. Curry

Your letter of the 26 Octr. 1809 I had the pleasure to receive telling me of the safe arrival of my son William at

Jamaica. I have seen by the Gazette of the 18th Novr 1809 that there was a mistake in Wm's appointment to the 54th Regt. which I assure you Mrs. Claus & myself most sincerely regret yet I flatter myself with the hope that your friendship will be the means of bringing the business to a happy end. Should he be removed from under your friendly care that ease of mind which has prevailed in both Mrs. Claus & myself since with you will vanish, & be left in a constant state of anxiety. Our only consolation if he is to be secured to an Ensigncy you will have it done.

The French influence has reached the Lower Province. Sir James Craig has five or six Canadian Lawyers Notaries & Members of The Assembly in Gaol (Bedard Blanchett & Tachereau of Quebec) being detected in a Treasonable correspondence with the French Embassador at Washington — he dissolved the House again last Winter he acts with decision & does not trifle with them as did Lord D & Sir R Milnes

Your lands I have left nothing untried to dispose of — only 300 Acres I have got off & to receive 7/6 pr Acre in Cash on giving the deed but it will be some time before that can be done as Green will have to execute the Deed & to him I shall remitt the Money as soon as pd

Since your favor of the 26th Octr we have not heard from Jamaica. We are at a loss for Wm's silence I should have been glad to have heard from him any particulars of his Voyage &c you will readily conceive untill we can hear from you better than I can describe — my boy Dan has been appointed to the 49th Regt now in this Country which under the Command of our friend Genl Brock his Lt Col. (Sheaffe) is at last married to Miss Coffin by next thursdays post Mrs. Claus I believe intends writing to Wm —

God Bless you joined by Mrs Claus & all the family in wishes for your health & happyness — I remain your most faithfully

All hands send their Love to Wm

(Unsigned draft.)

(Claus Papers Vol 10 pp. 1 3)

From William Claus to Lieut. Colonel Curry

Niagara 17th Novr 1810

My Dr Curry

Just as I was stepping into my boat with these Characters well known to you, Genl Brock Col. Vincent and Capt Glegg of the 49th Regt. on my way to York by the Head of the Lake. I had the pleasure to receive yours of the 13 June. With 3 such men I think I hear you say he must have had a pleasant time. Genl Brock remains with us in the Command of the Upper Province the other Gentlemen returned about 3 Weeks ago to the Lower Province — they came up with a number of other officers to sit a Genl Court Martial upon some men of the 100th Regt for desertion & Mutiny Very little was done after all their Trouble — one man flogged & one transported to Botany Bay

Green will have told you that he has received one Dollar & a half per Acre for 400 of your Acres. I assure you I sold them with reluctance, but it is your desire that they are sold

We are going on nearly as usual Genl Brock being with us makes some difference he lives in the Govt House and often sees 10 or a dozen friends but unfortunately he is quite alone not an officer with him. Harriot[1] who was his Major of Brigade is at Quebec with Genl De Rottenburg he ought to have kept Col Vincent or Glegg it would have been a happy thing for the latter as on his way down near Kingston in shooting a deer in the Water he unfortunately shot a man in the Bow of the boat, a soldier of the Veterans

(Unsigned draft.)

(Claus Papers, Vol 10 pp. 11-13.)

Samuel Street and Thomas Clark, who had obtained control of the Bridgewater Mills and desiring to extend their business, published a printed notice in the form of a handbill, a copy of which has been preserved among the Askin Papers in the Dominion Archives.

CLARK & STREET's terms for exchanging Wheat stored at the Bridgewater and Falls Mills are,

For three Bushels merchantable Wheat of 60 lbs each
112 lb fine Flour
49 lb Bran
4 lb ship stuff

For 5 and a half Bushels ditto.
196 lb Superfine
70 lb. Bran
8 lb. Ship Stuff

3 shillings and 6d York for each Barrel furnished 6d per Barrel for packing and 6d more if nail'd and lined — Quality

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[1] Heriot.

of Flour (if doubted) to be ascertained before taken away from the Mills.

Should the Mills or Wheat Stores be destroyed by fire the subscribers are not to be accountable for any loss occasioned thereby

CLARK & STREET

Bridgewater November 7th 1810

Hugh Alexander who had come to Upper Canada as a Loyalist in 1782 after employment of many years as a clerk had commenced business as a merchant at Fort Erie. Copies of many of his letters have been preserved and throw considerable on local commerce of the time

FROM HUGH ALEXANDER TO THOMAS MCCORMICK

Dear Sir

Agreeable to promise I have herewith given you a statement for which I will forward your goods at from Chip. next season to this place and from this to Chip. which I trust will meet your Approbation, viz Salt 2/4 per bbl. payable in salt at 30/ at Queenston free of duty or 2/ cash — the salt to be shipped as advised

Goods 1/3 per cwt. to receive here and ship as above
Pork to receive here and forward to Chipewa 1/3
Flour to ditto and forward to Chip. 1/
Pork & Whisky to receive here and forward to Chip. 1/4
Potash do do do do 3/
or 2/6 if not Hard

The cash accounts payable at the close of the season — and the salt monthly if required.

Fort Erie
Nov 6 1810.

N.B. You will please observe the above prices are New York currency

FROM HUGH ALEXANDER TO THOMAS DICKSON

Dear Sir

Your kind favor of the 1st ult. came to hand the 10th. I should have answered your letter immediately but could not say to a certainty how many barrels I should have and also expected to be down before this time but the roads is at present very disagreeable you can depend on twenty barrels of pork which can be delivered in a very short time — I merely say this as you may wish to know the quantity on acc of your own contract. I intend being down either the last of this week or the first of next as Mr. Bilder is waiting for that.

Fort Erie
Jan. 7/11

FROM HUGH ALEXANDER TO CAPT. B. MARTIN

Fort Erie Feb. 14th/11

Dear Sir

Yours of 21st ult. came duly to hand on the 7th inst. and hasten to inform you that in my opinion by all means start out for Buffalo as what property may be on board for this place can be brought from there without any interruption and should there be any probability of making one or two trips from Black Rock to either Cuyahoga or Erie the vessel will have it then in her power to perform the same — if not it is very easy to run over from Buffalo to this place. I have not seen your father as yet however I don't hesitate in giving my opinion as above as it will undoubtedly be best for both shipping and owner because should she clear for this port and part of the property be lost at Buffalo the owner would then be deprived of getting it over. The season as yet has not been very severe I am therefore inclined to hope that the ice will be out very early in the spring and I think there will be no time lost in coming down as soon as the lake weather will permit and unless you can get some rigging and repair done in trade — the vessel I think had better be brought down to repair either here or at Black Rock where the material can be got without paying cash immediately. Don't by any means pay Cook any of his wages if there is any due him as he was in arrears with me when he went away. I shall see your Father in a few days and will then inform him of what I have said to you and should we jointly agree to make any different arrangements I will then notify you accordingly.

Capt. B. Martin

Detroit

Should you have an opportunity of getting some old rope or junk get it to make oakum as I should want some for my own and another vessel will also want some. You will likely get the above for trade and cheap. Also get a small cadge and compass cheap and have the means to make payments without paying money.

FROM HUGH ALEXANDER TO CAPT. BUD. MARTIN

Ft. Erie Mar 12/11

D. Sir

I wrote you the 14th ult in ans to yours of 21st Jany but fearful that it may be miscarried I shall now write you per Capt. Rough to say that I wish you by all means to clear out for Buffalo the part of the property you have on board as I presume for that place which if you come to this side will not be allowed to be taken over but whatever may be on board for this place can be brought over from there here without difficulty. The weather at present is very fine and should it continue much longer I think the ice will be out by the 1 of April perhaps sooner. In my last I mentioned that you had better get a compass & small anchor perhaps 1 cwt and as there is several old vessels in that quarter perhaps you can get in trade or payable in salt next fall one that would answer for a square sail and topsail and also get what old rope you can conveniently to make oakum as I shall want considerable this spring. As your brother Anderson I presume will be with you if you and him can get a bargain in any of the above mentioned articles you had better take them and also should you see such spars as the Chip may want you may as well get them. Should whisky be cheap in Detroit say 4/ 4/6 or even 5/ a gall. if you have the means bring what you can with you. In hopes that every exertion will be used in getting down this as soon as the Lake and weather will permit

Capt. Bud Martin
Detroit

FROM HUGH ALEXANDER TO THOMAS DICKSON

Fort E. Mar 16/11

D. Sir

Your very kind favor of 21st ult I received the same day on my way to Long Point and am very sorry to find that Mr McGill did not accept your offer. However should you have an opportunity before I see you of selling 20 or 22 bbls pork provided you can get a fair price you are at liberty to draw on me for that quantity and pass the same to my credit. If you can conveniently spare a barrel of spirit please let the bearer Mr Smith have it who will have an opportunity of sending it up immediately

Thos Dickson
Queenston

FROM HUGH ALEXANDER TO CAPT BUD MARTIN

Fort Erie Ap. 9/1811

D S.

I am most disappointed on your boat not having yet arrived, as I have expected you here some time past as the weather is extremely fine. However I have heard verbally that the Chip. is detained on acct of the non-importation act. In that case Major Foward will do everything that can be done in behalf of the vessel and you will in that case be directed by him what measures to take and should you come under ballast from that port to this, call at Long Point on Dr Crosby[1] for Corn on your way down and be as expeditious as possible as I have made contracts in this quarter which must be fulfilled

FROM HUGH ALEXANDER TO ELIJAH PHELPS

Fort Erie Ap 15/1811

D S

I understand there is a quantity of salt laying at Chippewa marked T Bros. & Co. which is under your direction. As I shall have boats taking down flour should you want to send it to this place and not under any engagements I should be happy to have the hauling of it and would attend to whatever directions you should give respecting the shipping of the same at this place

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap 24/1811

D S

I called at Manchester last evening to see you respecting the cordage yet wanted for the Chippewa, but you was from home neither could I find Mr Collin. However I sent a memorandum for Mr Ben Hopkins which if you would have the goodness to furnish and leave in Black Rock to Mr Sell with the am which if you could conveniently make payable the 1st Oct would suit me much better than the time mentioned in your letter but should that be longer than you can wait you will make the time as favorable as possible, you will then send cordage by first boat

Judge Porter
Manchester

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[1] Probably Dr. Elisha Crosby who joined the army in 1813, see Papers and Records of the Ontario Historical Society XXVI, p. 194

Pay no attention to the former memoranda to Mr Smith as my information respecting that was incorrect

FROM HUGH ALEXANDER TO THOMAS CLARK & CO.

Fort Erie Ap. 29/1811
Messrs Thos Clark & Co.

Gentlemen

Yours of 19th I rec'd 23 The Chip is just discharged of 313 barrels marked P Cr O from Mr Nichol which will be forwarded to Chippewa as soon as possible I shall send the vessel once more to Long Point and the next trip to the Grand River for Mr Hatt's flour which I presume from your letter is ready If wind and weather will permit you may expect Mr Hatt's flour the last of next week or the first of the week after The Selina has also a load of flour from Long Point which will also be forwarded soon I have sent from this place 104 bbls flour marked H A for myself which you will have the goodness to forward to Messrs Parker Gerrard Ogilvie & Co. Montreal the first opportunity

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap. 30/1811

Sir

Yours of 25th received 28th enclosing the bill of rigging which came to hand in good order I am extremely sorry that you was put to the trouble of making that part of the rigging that is not at present wanted if I recollect right I mentioned to your man that the memorandum left with Mr Coffin by Mr Smith was incorrect but that I should leave one with him that evening.

However I find I am still deficient much which I shall trouble you again to furnish & forward to Black Rock as formerly

Say 1 cwt spun yarn.
2 bunches of marlin
30 fathoms 3" rope
2 lbs. serving twine.

To Judge Porter
Manchester

FROM HUGH ALEXANDER TO WILLIAM SOUTHERLAND

Fort Erie May 11/1811

Sir

Messrs Thomas Clark & Co. has wrote to me to say that

Saml Hatt Esqr has a quantity of flour at your place which he wants forwarded to Queenston I have therefore agreed with Mr Thomas Hickok? the bearer of this to bring his team to this place you will therefore deliver to him as much as he can conveniently take and Oblige

FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie May 13/1811

Sir

I am concerned in a small vessel (the Chippewa thirty six tons burthen British Bottom) which I would wish to engage in the salt business from that to your port if the laws now in force will allow the same May I therefore beg the favor of you to state to me as soon as convenient your opinion on that subject whether you think it advisable to send him to your port or not and you will very much oblige.

FROM JONATHAN WALTON TO FRANCIS GORE

Schenectady 15 May 1811

Sir

As it may be agreeable for your Excellency to know that agents for many Respectfull families have called on me lately for the purpose of making arrangements to Remove into your province the ensuing Summer I think it my duty to give the information. I shall continue my endeavours to facilitate as many good people into the province as I possibly can — having the wellfare of your Excellency's government at heart.

I most sincerely congratulate your Excellency on the Glorious news of the success of the British arms in Portugal in driving the heavy foe out of that kingdom — with my sincere prayers that England may finally Tryumph over the Tyrant of Europe

I am &c

J WALTON

His Excellency Gov Gore

(Sundries Upper Canada 1811)

The writer of the foregoing letter was an officer in a loyalist regiment who had been retired upon half pay and had settled in Nova Scotia and afterwards undertook the settlement of the township of Hope in Upper Canada. Eventually, as he stated, with General Simcoe's approval he established himself as a merchant in Schenectady and seems to have exerted him self zealously in promoting immigration to Upper Canada asserting that his situation there enabled him to promote the Settlement of that Country more than he could possibly do by *residing in Canada*.

Richard Hatt of Ancaster, Samuel Street of Stamford and Joseph Edwards of Niagara had been appointed commissioners to supervise the expenditure of money granted by the provincial parliament for the improvement of the main roads in the Niagara District.

From Richard Hatt to William Halton

Ancaster 21 May 1811

Sir

I received your Letter of the 17th Ulto. acquainting me of the appointment which it has pleased His Excellency to honor me with, and in order to carry the same into effect as soon as possible (being unable at this time to leave my family) I have taken the liberty to empower my Brother to receive such part of the money appropriated by the said Act as may more particularly fall under my immediate inspection to lay out, that is from Vanderlip to A. Westbrook's, from Brady's Tavern thro' Saltfleet to the Forty Mile Creek on the New Lake road, and building a Bridge over the Outlet at Burlington Bay which is the arrangement lately made with the other Commissioners.

I have the honor to be &c.

Major W. Halton RICHARD HATT

(Sundries, Upper Canada, 1811.)

From Hugh Alexander to Parker Gerrard Ogilvie & Co.

Fort Erie May 23/1811

Gentlemen

Having some flour to send to Montreal this season and from an acquaintance I have had of you through Mr. Nichol & others in this quarter I have taken the liberty of addressing it to you which if you will have the goodness to take charge of and if you have an opportunity of selling any part of it for nine dollars or upward please to sell it — if not I should rather have it housed till I go to Montreal myself which will be in July or first of August. I shall also request the favor of

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[1] Papers and Records of Ontario Historical Society, XXVI, p. 361.

you to write to me the correct prices of flour, pork & potash as often as convenient and oblige

From Hugh Alexander to Thomas Clark & Co.

Fort Erie May 30 1811

Messrs Thos Clark & Co

Sirs

Yours of 16 instant received on the 22nd and have now the Biscuit ready say 3200 lbs. The quantity of flour taken for the season is 18 barrels which you mentioned were to be replaced at Queenston. You will also pass £19 6 0 N Y Cur to my credit.

The price for baking say 12/ per cwt you can either make the flour and forward it to Montreal with the rest or pass it to my credit as may be most convenient.

From Hugh Alexander to Clark and Street

Fort Erie June 4 1811

Messrs. Clark and Street

Dear Sir

Yours of 28th received the 3rd inst. and will cheerfully account to you for the neat balance that may be due Robt. & Sent Martin for their respective shares in the Chippewa when and as such articles as may be collected for freight in said vessel at present I have nothing in my hands.

From Hugh Alexander to Parker Gerrard Ogilvie & Co

Fort Erie June 15 1811

Messrs. Parker, Gerrard, Ogilvie & Co.

Gentlemen

I wrote you on the 23rd respecting some flour forwarded to your care which I requested not to be sold under nine dollars. However Mr Storm? is going sooner to Montreal than I expected. I have taken the liberty of drawing on you in favor of Messrs. Jabez Stott & Co for twenty five pounds currency which you will please to honour.

If you have not sold sufficient of the flour at the above rate you can sell to the best advantage enough to discharge the above draft, and the remainder if you think there is any possibility of its rising dont sell till you have further advice. Please write me the quantity received in good order and what prospects are respecting the price and you will very much oblige.

The annual return of the militia of the county of Lincoln dated 4th June, 1811 showed that the 1st Lincoln, commanded by Colonel Ralfe Clench consisted of one Colonel, one Lieutenant Colonel, one Major, ten Captains, ten Lieutenants, ten Ensigns, one Adjutant, one Quartermaster, thirty-two Sergeants, and 513 rank and file, being a decrease of sixty rank and file since the last return. The 2nd Lincoln, commanded by Lieutenant Colonel Thomas Clark was composed of one Lieutenant Colonel, one Major, nine Captains, Ten Lieutenants, ten Ensigns, one Adjutant, one Quartermaster, twenty-three Sergeants, and 572 rank and file showing an increase of eighty-six in the last description. The return for the 3rd Lincoln, commanded by Lieutenant Colonel John Warren, was dated 1810, and showed a total strength of one Lieutenant Colonel, one Major, eight Captains, six Lieutenants, seven Ensigns, one Adjutant, one Quartermaster, sixteen Sergeants, and 350 rank and file. The 4th Lincoln, commanded by Lieutenant Colonel Johnson Butler, numbered one Lieutenant Colonel, one Major, ten Captains, eight Lieutenants, nine Ensigns, one Adjutant, one Quartermaster, twenty seven Sergeants, and 459 rank and file, being an increase of fifty-two. The 5th Lincoln, commanded by Lieutenant Colonel Andrew Bradt, reported a strength of one Lieutenant Colonel, one Major, seven Captains, ten Lieutenants, eight Ensigns, one Adjutant, nineteen Sergeants, and 404 rank and file, being an increase of fifty-seven.

Three official letters from commanding officers have been preserved.

FROM RALFE CLENCH TO THE HONORABLE AENEAS SHAW

Niagara June 8th 1811

Honble Sir

I enclose two Returns of the First Regiment of the County of Lincoln Militia No 1 Contains those from Sixteen to Sixty years of Age and No. 2 those from Sixteen to Fifty only from this you'll see the small Number we have above Fifty

You'll also perceive by my Remarks the very few Absentees with the Character of most of them in Captain Crooks's Company we have some respectable Americans a Mr Belding a Worthy Man who has always declined bearing Arms but upon all regular occasions transmits the Amount of his Fine as by Law imposed but of this description there are but few. We have some others in the Regiment who are inclined and would if in their Power not only stop the Militia law being carried into effect but the Wheels of Government also, of this Democratic Class fortunately we have not many.

A Lieutenant Robert Runchey a worthless, troublesome Malcontent, it is rumord that he intends Personally to wait on his Excellency the Lieutenant Governor and to request his acceptance of his resignation. This I sincerely hope he may do, and that his Excellency may be pleased to accept of the same, as he is almost the only one I can term a Black Sheep in our Regiment and with whom the Officers I believe would gladly part.

The Number of Private Men at present exceeds what by Law is allowed to each Company, and yet we have not a sufficient Number to form another Regiment. I would therefore beg leave to suggest the propriety of Forming Three or Four Independant Companies in the Township of Louth in which there are I dare say Men Sufficient. This Township is now within the limit of the First Regiment which would still be sufficiently numerous. I am induced to make this suggestion from a difficulty that has occurred with some of our Justices, where Companies have exceeded Fifty Private Men. I could not obtain Judgement upon Summons for no other reason as was stated than that the Company in Number exceeds what the Law directed, by which Defaulters have gone unpunished. From the Strength of our Regiment you will see that there is no other remedy unless dividing the Regiment, from the situation and Settlement of the Townships of Niagara and Grantham this would not be in my opinion so eligible as to Form Independant Companies in the Township of Louth.

Should this suggestion meet his Excellency's approbation permit me to request your earliest information. I shall then transmit a list of Persons proper to be Appointed officers.

I have the Honor to be &c.

RALPH CLENCH
Colonel 1st Regt. Lincoln
Militia

Honorable Aeneas Shaw
Adjt. General Militia
York.

(Sundries, Upper Canada 1811.)

FROM ANDREW BRADT TO THE ADJUTANT GENERAL OF MILITIA

Barton 8 June 1811

Sir

I now enclose the General return of the 5th Regiment of Lincoln Militia at the same time I have to transmit you the resignation of several of the Officers of my Regiment & shall submit to you to lay before His Excellency the Lieutenant Governor the frivolous excuses made in order to get rid of the Service, thinking by resigning they get clear'd from all future Service. —

CAPTAIN AUGUSTUS JONES resigns without any other excuse than that he does not like to get the ill will of his Neighbours, by making them do their duties in the Militia

CAPTN. JOHN LOTTRIDGE (the Son of Captain Robert Lottridge of the Indian department during the late war) resigns because he says he is so dull he cannot learn the Manual Exercise therefore cannot teach his Men

CAPTN. JOHN CHAMBERS resigns, because he has a very large family is rather a sickly man & is in very poor circumstances

LIEUT. JOHN JONES is removed from the neighbourhood of my Regiment & is promoted to a Captain's Commission in another

ISRAEL DAWDY refuses to serve as an Ensign as he had originally a Lieutenant's Commission & had for a considerable time the charge of a Company & discharged the duty with great Credit to himself in that situation

ENSIGN A. B. BRADT has removed from the neighbourhood of my Regiment too far to attend his duty to [illegible]

If therefore His Excellency should approve the resignations & if so many persons should be exempt from Militia duty from it I shall beg leave to recommend that Lieut. John Aikman — Lieut. Israel Dawdy & Lieut. Lewis Horning may succeed to the Companies vacated by the resignations. & that Abel Land Senr. William [illegible] & John [illegible] be promoted to Lieuts. also that Jacob [illegible] Joseph House Joseph [illegible] George Rousseaux Samuel Green and Jacob [illegible] be recommended as Ensigns in my Regiment

I cannot conclude without observing that those whose friends & themselves have received the greatest encouragement & inducement to persevere in the good cause do not hold out the longest vide Augt. Jones — & J. Lottridge & at the same time I cannot but remark to you that Mr. Abraham Markle & William [illegible] both of Ancaster not only refuse to train in the Militia & declare never will do more than pay their fines — that should we be called on at real Service we might not find support in many who have had great advantages from professions of Loyalty & suffering.

I have the honor to be &c

ANDW BRADT
Lieut Col

To the Adjutant General of
the Militia of Upper Canada.

(Sundries, Upper Canada 1811.)

FROM THOMAS CLARK TO AENEAS SHAW

Queenston June 10th 1811

Sir

Herein I have the honor to inclose you a return of the 2nd Regiment of Lincoln Militia for the 4th inst. which be pleased to transmit to his Excellency the Lieutenant Governor as the Law directs —

By this return you will perceive that there is a Captain wanting to one of the Companies — owing to Captain Warner having some time ago resigned from Old age — To fill up that vacancy I should recommend John Decow the oldest Lieutenant in the Regt and well adapted to supply the place of Capt. Warner — Ensign Jacob J Ball to supply John Decow's place and Mr James Lyons to supply the place of Ensign Jacob J Ball —

I have the Honor to be &c

THOMAS CLARK Lieut Coll
2d Regt Lincoln Militia.

Aeneas Shaw Esqr
Adjt Genl of the
Militia of Upper Canada

(Sundries Upper Canada 1811.)

Considerable grants of land had been made by the first land board to officers of Butler's Rangers and the Indian Department three of whom had died on service and the other two had left the province. Action was accordingly taken to cancel these allotments.

EXECUTIVE COUNCIL OFFICE

York, 14th June 1811

Public Notice is hereby given that the Locations designated by the Land Board of Nassau for the following Persons in the Township of Binbrook District of Niagara, will be declared open for Grant to other Persons unless within Six Months from this date they severally appear by themselves or Agents to establish their Claims and sue out their Patents.

LIEUTENANT GEORGE HARKIMER
LIEUTENANT HENRY HARE
SURGEON'S MATE PATRICK BURK
LIEUTENANT FREDERICK DOCHSTEDER
CAPT. JOHN MCKINNON

By Command of His Excellency
the Lieutenant Governor in Council

JOHN SMALL,
Clk. of the Executive Council

(Sundries, Upper Canada, 1811.)

The author of the next letter was deported as an alien enemy in 1812 and his book was published in the United States in the following year and rapidly ran through six editions.

FROM MICHAEL SMITH TO WILLIAM HALTON

Niagara June 22d 1811

Worthy Sir I hope you will not be offended at the liberty I have taken of writing to you — nothing but the information I have had of your disposition could have encouraged me thus — Worthy Sir it is through your means that I humbly wish to communicate to his Excellency our Governor my design of publishing a Geographical and Political view of the province of Upper Canada.

My design in publishing this work is to give a general information of the goodness of the land and (sic)[1] Laws. I would not wish to do anything that might be contrary to my Governor's wish. I therefore would be very thankful if you would communicate the same to me through the hands of Mr Cameron Printer — If his Excellency should wish to see the manuscript before the signification of his mind it shall be sent. I do not count my self the Author tho I have assisted in the work and have copied the whole. I am a native of the state of Pensyvania (sic) and came to Canada 18 months ago have taken the oath of Elegence received a reserve lot of land have a small family and am a poor man. I am Sir with humbly your unworthy servant.

MICHAEL SMITH.

---

[1] John Cameron then publisher of the York Gazette and Upper Canada Almanac, see Scadding, Toronto of Old, pp. 268-9, 533.

N.B. I now teach School 3 miles from Niagara.

William Halton Esq.
York

(Sundries, Upper Canada, 1811)

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie June 17 1811

Dear Sir

I must once more call on you for a small quantity of cordage yet wanted for the Chippewa viz.

60 fathoms of six thread ratlin
120 do. of 15 thread do. or perhaps 12 may answer
20 do. 2½ inch rope
14 lbs. spun yarn

which you will please send up to Black Rock by the first boat and oblige

---

FROM HUGH ALEXANDER TO JOHN MUIRHEAD[1]

Fort Erie June 19 1811

Dear Sir

Yours of the 15th inst enclosing your J. W. Muller rec'd yesterday. I now send by the boat ninety five barrels of flour belonging to Mr Nichol for government which agreeable to Mr Coffin's direction to Mr Warner? he is to deliver six hundred bound for Queenston and four hundred at this place the last of which is already delivered here for agreeable to that direction you as his agent at Chippewa will please forw'd to Queenston ninety five barrels flour together with our 150 barrels already at Chippewa which was forwarded to Mr James Cummings not knowing at that time what were to be delivered at that port. Should Mr Nichol have given you any directions respecting the above flour himself you will of course be guided by the same or should you have any conveniency of keeping the flour safe at Chippewa till we can have advice from Mr Nichol with respect to the forwarding of it to Queenston you can do as you think most advisable for Mr Nichol's interest. I have also given directions for the boat to call for Messrs Clark & Street's flour at Mr Miller's.

Mr John Muirhead
Chippewa

---

[1] A merchant and collector of customs at Chippewa.

FROM HUGH ALEXANDER TO WM. H. ALEXANDER

Fort Erie, June 22 1811

Dear Uncle

Yours announcing the death of my brother David came duly to hand and I am very sorry to hear the news but we are all mortal and may be called upon when not so well prepared as I hope he was. He has now paid the debt which we all owe and is far from all the cares troubles and anxieties of this life

I have the pleasure to state that we all enjoy good health hoping that inestimable blessing attends you and family. Ephraim is at present at Ancaster at the head of Lake Ontario but intends going to Long Point this summer to commence business with E. Crosby Esqr of that place and I hope will do well. I should have wrote you immediately on the receipt of yours, but have been anxiously waiting to hear from and see Mr McDougall respecting your business, as I employed Ephraim who was down at the time I received your letter to call on him (he McDougall) he at last has come down and paid me 1150 pounds in cash and a note of hand for one hundred pounds N. Y. C. payable Jan. 1812 with interest from 14th inst. against as good a man as we have in this country, part of which I may perhaps get before I go to Montreal which I intend next month if weather permits perhaps about the 18th or 20th and will come home by your place at which time (should I get no safe opportunity to remit the money sooner) I shall give you whatever money I may have received from Mr. McDougall's amount and as much of my own as I possibly can

Susan and William Dixon to be kindly remembered to you and Aunt Mary and all enquiring friends

---

FROM HUGH ALEXANDER TO SAMUEL STREET

Fort Erie July 19 1811

Mr Samuel Street

Dear Sir

Mr Sent Martin[1] has this morning mentioned to me that fifty dollars was promised by him and his father to be paid in cash to you for money advanced by you to Judge Porter previous to their giving you their draft on me for the note due them. They therefore to make their promise good to accommodate you as far as lay in my power I have sent by Mr. Sent Martin the above sum say fifty dollars which I hope will arrive safe. I shall also inform you as soon as possible balance due them and when payable.

---

[1] Should probably be Saint Martin.

FROM HUGH ALEXANDER (*Unaddressed*)

Fort Erie Aug 2 1811

Dear Sir

Yours of the 30th I received yesterday. Capt Dobbin has this morning come over and informs me that he has on board the Salina betwixt them and you Hundred Packs and a few barrels potash and as he has some property aboard for Presquisle it will be out of his power to come over therefore requested to have them taken from the pier. As the packet sails for that place they will be forwarded as soon as possible part will go to-morrow. With respect to the bales none of them got injured as it was only the ends of a few that got wet which soon dried by exposing them to the air in the store. The boat is well mended and has now six good sail cloths. However every possible care will be taken both with the goods and packs

The following letter from the Deputy Superintendent of Indian affairs shows the extreme tension caused by the menace of hostilities by the United States nearly a year before they began.

FROM WILLIAM CLAUS TO LIEUT. COLONEL CURREY

Niagara 17th Augt. 1811

My Dr Curry

I am sorry that I cannot tell you that I had disposed of a few more of your Acres. Sales are at a stand just now but I will not lose sight of them. they ought to sell & well from the situation, it is becoming a thick settlement.

Your friends in this part of the world are all well & jogging on. how long we will be allowed to remain in Peace & quietness God knows. our neighbours appear much inclined to quarrel with us, at least their Govt. but they do not know what to do, the Eastern States seem as much averse to the French as the Southern are in favour of them & I believe very powerful Tribes of Indians on the Waters of the Mississippi are by no means pleased with the treatment they receive from the Americans & their encroachments. Another cause of dissatisfaction is their Trade being in a great measure stopped by the Non-inter-

course I understand a deputation is gone to Washington from the Missouri on the Subject

The Death of Mr Hamilton has long been known to you his Second son George was lately married to Jarvis's Eldest daughter & the Second (Augusta) is shortly to follow her example & marry McCormick of Queenstown

Lt. Col Curry Comdg
54th Regt Jamaica

(Unsigned draft.)

(Claus Papers Vol 10 pp. 19 21.)

James Durand who had previously been major of the first regiment of Lincoln militia having removed to the township of Barton had been appointed a captain in the 5th Lincoln but soon became discontented with his commanding officer who had formerly served in Butler's Rangers, and was perhaps not very courteous in his manner

FROM JAMES DURAND TO WILLIAM HALTON

Barton 5th September 1811

Sir

I have to request that you will be pleased to inform His Excellency Lieut Governor Gore that in consequence of what I thought was his wish, when I last had the honor of an interview viz that if any did exist a direct charge should be brought forward by the Officers of the Fifth Battalion of Lincoln Militia against Lt. Col. A. Bradt I have taken occasion to make his disposition known to some of the Gentlemen of that Regiment, who heretofore had been very desirous of such an Opportunity they have however now declined coming forward

That His Excellency may be able to account for such a change of mind in those who so warmly desired the removal of Col Bradt I would take the liberty to suggest that it is extremely probable, a general relaxation of Duty would upon enquiry be found to have pervaded the Regiment, having its source perhaps in the example of the Colonel

I have the honor to remain &c.

JAMES DURAND

To

Major Halton
Secretary to Lt Gov Gore

(Sundries Upper Canada, 1811.)

In addition to his offices of post master, justice of the peace and commissioner of roads, Joseph Edwards had been appointed a commissioner for the purchase of merchantable hemp made vacant by the death of Robert Hamilton. The letter which follows shows that a considerable quantity had been produced in the district.

FROM JOSEPH EDWARDS TO WILLIAM STAUNTON

Niagara 7th Sept. 1811

Sir,

As Commissioner for the purchase of hemp I had the honor to address his Excellency the Lieutenant Governor through Major Halton so long since as the Ninth of August 1810, stating that I had been applied to by two persons who had that article for Sale and requested that the warrant for the payment of two or three Tons might be made to William Dickson Esqr. whom I had appointed as my agent to receive the same. To this Letter however no reply was made and I only learned from Mr. Dickson that as his brother had mentioned at York that he would take all the hemp offered in this District it was considered unnecessary to send me any money.

Within these few months I have had the same applications to take hemp as a Commissioner and in reply referred them to Mr. Dickson, declined taking any from them and lately I spoke to him myself who said he had no orders from Captain Mills[1] to purchase.

This day 29 cwt. 1 qr. 17 lbs amounting at the price offered by Government to Ninety One pounds 17/7½ Currency has by Messieurs Beldon and Tolman been put into my hands after taking the Oath prescribed by Law. As I did not wish to refuse it on the principle of having no funds to pay them which they understood the other Commissioners always had, I applied to *Major Halton* who directed me to you for his Excellency's information on the subject. Have the goodness to inform me what I am to do by the first opportunity.

I am Sir &c.

JOSEPH EDWARDS
Commissioner &c

William Staunton Esquire
Sec'y &c &c &c

(Sundries, Upper Canada, 1811.)

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[1] Probably Captain William Mills who had established a rope walk and cordage factory at Amherstburg.

An endorsement in pencil on the blank page reads

Major Halton was then at Niagara on his way to Lower Canada if this letter was submitted to the Lt. Governor — nothing was done in the business

A report of Mr. Justice Powell is evidence of the extreme reluctance of the Bench as well as the public to inflict capital punishment for the crime of theft.

FROM JUSTICE WILLIAM DUMMER POWELL TO WILLIAM HALTON

York 26th Septr 1811

Sir

I have the Honor to report for the Information of his Excellency the Lieutenant Governor that on the western Circuit in the District of Niagara George Windeker was capitally convicted of stealing a Heifer but recommended to Mercy by the Jury which convicted him — As the Man bore a good Character until charged with this offence and his Connexions were respectable I presume his Excellency will think with me, that the great object of Example may be attained by commuting his Sentence into perpetual banishment which may be done by a conditional Pardon — I have the Honor to be &c.

Wm. Halton Esqr WM DUMMER POWELL J

(Sundries Upper Canada 1811)

This recommendation was promptly carried into effect by the following order to John Macdonell the acting Attorney General

LIEUT GOVERNOR'S OFFICE

York U Canada 10th September 1811

Sir

I am commanded by the Lieut Governor to desire that you will take the necessary measures for a Pardon on the condition of perpetual Banishment out of the King's Dominions being prepared for his Signature for George Windeker capitally convicted of stealing an Heifer at the assizes lately held at Niagara

I have the honor to be &c

WM HALTON Secy

John MacDonell Esq
&c &c &c

(Sundries, Upper Canada 1811)

The change of administration was announced in the following letter wholly in Brock's handwriting.

York Upper Canada
October 9th 1811

Sir

I have the honor to inform your Excellency that in consequence of Lieut. Governor Gore's departure for England I have this day assumed the administration of the government of this Province —

I have the honor to be &c

Isaac Brock
M. Gl

To
His Excellency
Lt. General Sir George Prevost
&c &c &c.

(Sundries, Upper Canada, 1811.)

From Hugh Alexander to Alexander Rea

Fort Erie Oct 3 1811

Mr Alexander Rea,

Dear Sir

I have the pleasure to announce to you my safe arrival at this place on the 15th ult and had the satisfaction to find my family enjoying good health. Since my arrival part of the time I have not been so well as I was while travelling but have now quite recovered my former good health. I have not as yet seen your son but from my information he is very well. I should be at his place in a few days when I shall call on him. The articles I bought from you have not yet arrived, but I have heard of their arrival at Queenston. Agreeable to your request I made what enquiry respecting the phials I could while coming home and at Albany found them considerably scarce. I have not as yet sold any positively but from their being scarce in Albany I judge they may sell at this place before this time twelve months. — Therefore if your Hghd[2] of phials is not yet sold you may have them forwarded to Lachine to Mr McGevach by the first opportunity for the season is now far advanced and charge me with the same agreeable to what

---

[1] Probably Daniel Rea, a merchant at Dover. [2] Hogshead.

we mentioned when at your place

With compliments to Mrs. Rea & Family

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Oct 9 1811

Robt Nichol Esqr

Dear Sir

Enclosed you have Michael Hickey a receipt for two barrels marked R N to be left at Colonel Ryerson's mill for you which contains 224 lbs Black Pepper agreeable to your order which came after the Chippewa sailed & supposing that you might be in immediate want of it per the first opportunity One of the barrels not being full and supposing you might be in want of some rope for your own use I put in one coil of White Rope which will answer for races &c which you may either credit me with at 2/ York per lb the same as I paid or sell the same at an advance on my account and deduct your commission the Chippewa has just arrived with 28 barrels of beef which I shall deliver to Mr Warren as before.

FROM HUGH ALEXANDER TO JABEZ D. DE WITT

Fort Erie Oct 17/1811

Mr Jabez D. De Witt

Dear Sir

I have the pleasure to inform you that I arrived at this place on the 16th and found all my connections in good health. Since my arrival I have not enjoyed good health as well as I did when travelling — however I have for a few days past been quite restored and trust that ere this I may congratulate you on your safe return to good health The case of hats I received on the 25th ulto And found every article agreeable to the account on the other side I have annexed a memorandum which if you will have the goodness to furnish and forward as soon as you possibly can as the season is far advanced I will make you payment for the same agreeable to your terms for the Hats &c You will please to put them up safely and send them to Mr McGevarch Lachine.

6 lbs. Verdigrease.

1 piece of glazed black hat binding 2nd quality

2 gross black galloon 1 bottle aqua fortis
½ drab do.
½ hat buckles 1 superior white bonnet 21 inches
3 back hat bands inside
1 lb pumice stone
½ doz. hat bow strings

From Hugh Alexander to James Sinclair

Fort Erie Oct 23 1811

Mr James Sinclair[3]
Dear Sir

When you were at this place I mentioned to you my expectation of making different arrangements with respect to the Chippewa. I have therefore made a purchase of the said vessel and will accordingly make arrangements in season for proper persons to sail her the ensuing season.

I have therefore to request of you to let me know whether you are at liberty to engage next spring and if so what your lowest terms will be for the same to sail her as master to commence say the first of April and continue the season — the vessel as you know is a good new one and I hope will be well manned which to you if you take the command will be considerable of an object. You will therefore make your terms as reasonable as possible as the vessel will not admit of heavy expense — you need not mention what I have wrote you as it might cause others to think hard my giving you the preference.

From Hugh Alexander to Robert Nichol

Fort Erie. Oct. 24 1811

Dear Sir

Yours of the 21st rec'd also one from Mr Kerby to the same effect respecting your goods which came to this place. I am extremely sorry it was out of my power to have the Chip. go to Long Point as I intended. The reason was that she was completely filled with that positively engaged before and prior to my purchase excepting a few heavy articles which had to be put in her hold on account of too much deck loadings to make her safe. However agreeable to your request I have fitted out an excellent batteau with Archibald Thompson Conductor with those articles which I supposed you were most in need of and also such articles that might be landed should occasion require. I have sent very few of Dr Rolph's articles as they were chiefly heavy articles and as I expect the Chip. at this place next week

should the wind and weather permit I will then send her immediately with all the remaining articles at this place

---

[3] Afterwards a second lieutenant and pilot in the provincial marine on Lake Erie.

P S I have sent twice over the river in order to get—— to go to your place But could get none However I hope the boat will arrive safe

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov 7 1811

Robt. Gillespie

Dear Sir

Yours of 20 Sept I received the 4 th inclosing invoice of sundry goods say horn glass &c which came to hand the same time. I have also received the goods forwarded to Lachine while I was in Montreal and which I find all agreeable to the invoice with the exception of three articles amt £3 17 1 Hfx cy you have on the other bill With respect to the butter I am sorry any difference should occur in the weight However when season will permit please send the amount of sales as then I can have recourse on them I purchased it from the quantity difference.

Sept 27 1811
Mr Robt Gillespie
To Hugh Alexander Dr

	£	S	D
To 2 doz. wood combs at 14/6	1	9	0
½ horn at 16/	0	8	0
	1	17	0
Advance 42½ per cent		15	8½
	2	12	8½
½ doz. knit wool breeches at 32/6	1	4	4½
Hfx. C.	3	17	1

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Nov 15 1811

Robt Nichol Esq

Dear Sir

Enclosed you have an account of 84 pieces of your goods the whole number at this place — the articles you mentioned in your last letter shall be attended to and every article I hope sent the next trip as I shall have to send the vessel once more if the season will permit All your goods except some which

I expect for you has not yet come forward but is daily expected. There is also a number of articles as you will see in your bill which I have taken the liberty to address to your care which please have stored till I can have an opportunity of taking them away. The 25 bbls of salt marked E Hasbrook of John Scott and Co. who has a store at Townsend under the direction of C. Foster and Co. or Mr Cayl himself you may perhaps know best as you live near them who to inform respecting them the remainder say 40 barrels more will be up next turn

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov 23 1811

Robt Gillespie

Dear Sir

Your kind favor of Oct 12 covering the sale of butter I rec'd yesterday and feel well pleased with your sending it to the Quebec market. I find by the acct of sales one barrel of butter is yet unsold. If you have not received it please enquire at Messrs Parker Gerrard Ogilvie and Co. if they have sold it very well. If not you will please appropriate the proceeds to my credit as before. Should Government purchase flour and pork that season I shall make an offer for part of mine at least. However as yet I am not certain with respect to that market as no advertisement has appeared for that purpose. Butter is very active at this season. However in the spring I shall pay strict attention to the Quality and packing of that article for your market. You will in your next letter have the goodness to say what you think lard and potash will be likely to bring next spring or if saleable.

Colonel William Claus reported the measures he had taken in accordance with his instructions to restrain the western Indians from beginning hostilities against United States in a letter addressed to James Brock, then civil secretary to his brother the General

Fort George 9th Decr 1811

Dr Sir

I have to acknowledge the receipt of your letter of the 3rd instant

Agreeably to General Brocks desire to know what steps I had taken with the Supt of Indian Affairs at Amherstburg to use his influence with the Indians to keep them quiet, I beg leave to enclose an extract from my letter to him of the 24th ulto in which I desire him to recommend to the Indians Peace and should any attack be made on them by the Americans to ensue. A copy of Lieut Gov Gore's letter to me of the 26th Feby last Discouraging any hostile measures on the part of the Indians was transmitted to the Supt of Ind Affairs at Amherstburg the 7th of March last with directions to pay the most particular attention to the contents. I have again written to him in consequence of your letter of the 3rd by Bell the shipbuilder who left this yesterday he informed that the report of the Action on the Wabache[2] was not believed in when he left Amherstburg the 1st instant.

P.S. The enclosed copy of a letter from Colonel Elliott which I rec'd two days ago I beg you will lay before Genl Brock, dated 24th ulto.

(Dominion Archives, S. Indian Affairs U. C. 1810-1813)

Some letters from the enterprising Benjamin Canby have escaped destruction.

FROM BENJAMIN CANBY TO CHARLES ASKIN

Friend Askine,

Dont delay in geting a line to york Respecting the reserve I met Holty on his way Down to Isac Swezeys. He inquired of me whether the Governor had left Newark yet. I informed him he had. I believe his business is getting Isaac Swezy to aply for the same and for him so that William Dexton should right immediately so as to get the start. it would without a doubt put a stop to it. I remain yours

BENJ CANBY

fifteen mile creek
Tues Day morning.

Addressed —
To
Charles Askin
Marchant
at Queenston

(Askin Papers, Canadian Archives, undated, probably 1811.)

FROM BENJAMIN CANBY TO CHARLES ASKIN

Canbury 24 Oc. 1811

Friend Askin

according to William Lenns request I have sent the boat

---

1 William Bell, foreman or master builder of the naval yard at Amherstburg, 1812-1813. 2 Generally called the battle of Tippecanoe 7th November 1811.

Down which will be a convenient chance for your goods to be conveyd they brought your salt and Iron from Cowans took from the mills 10 Barrels Potash please to not neglect feching up your Surveying instruments likewise a grind stone I purchased from Squire Cowan there if the boat will conveniently take it for it is much wanted I remain your Frend

BENJ CANBY

N.B. I understood from Garner from Lewis that you had a man Coming up to help Down the boat but he has not arived yet please to right to George Kefer nor to Delly running on the road as the overseers is Detained from working on that head until he lays it.

Addressed —Charles Askin
Marchant
at Queenston.

(Askin Papers, Canadian Archives.)

After carrying on his business for some months at Queenston, Charles Askin removed to Canboro, where he organized the militia of that township and Haldimand, having Benjamin Canby as a subaltern. As the following letter indicates he undertook the management of a mill which had been built by Canby on a small creek falling into the Chippawa.

FROM JOHN CLARK TO CHARLES ASKIN

15 Mile Creek 21st Decr 1811

Dear Sir

Having understood there is a person in your employ named Rouse a Millwright — if you can possibly spare him for a week or two will you have the goodness to allow him to come down and assist in finishing a Grist Mill that I have lately purchased—I have wrote to him on the subject and trust that you will use your influence with him on my part

Hoping that you find your country residence pleasing and that we shall see you this way soon I am

yours Truly

JOHN CLARK

Charles Askin Esqr
Addressed —Mr Charles Askin
Merchant
Canborough.

(Askin Papers, Canadian Archives.)

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 43

RECORDS OF NIAGARA

A Collection of Contemporary Letters and Documents

1812

Collected and Edited
by
BRIG.-GENERAL E. A. CRUIKSHANK

Published by the
Niagara Historical Society
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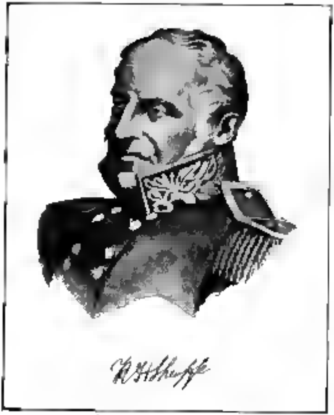

R H Sheaffe

— Sir Roger Hale Sheaffe —

PREFACE

The documents printed in the following pages have been collected from a variety of manuscript sources and will be found to complement those published in "The Documentary History of the Campaigns on the Niagara Frontier in 1812 and 1813," in 1896 and 1899 by the Lundy's Lane Historical Society. They throw considerable further light on the civil and military affairs of that time.

RECORDS OF NIAGARA

No. 43

1812

FROM THOMAS DICKSON TO JAMES BROCK

Queenston, 11th January 1812.

Sir

Mr Addison having been very ill for these two weeks past, and although the Doctors now think him out of danger he will not be able to attend at York the ensuing Session of Parliament as Chaplain to the House of Assembly by his desire, therefore I now write to Mr Stuart[1] to request him to officiate for Mr Addison, and the present is to request you to get His Honor the President to give him permission for Mr Stuart so to do,

I have the honor to be
Sir
Your most obedt Servant

Thomas Dickson

James Brock Esquire
Secretary to His Honor the President.

(Dominion Archives Sundries 1812)

Within a month Mr Addison had recovered sufficiently to be able to write the following letter

Niagara, Feby 8th, 1812.

To His Excellency Genl. Brock

May it please your Excellency

Mr Peters[2] having made me acquainted with the probability of a new District being formed at the Head of Lake Ontario[3] in which he contemplates to remove and establish himself and having suggested to me a residence to obtain the office of Clerk of the Peace or Register in the event of such a Division taking place, I have taken the liberty to recommend Mr. Peters to your Excellency's notice as a person whom I have long known, and whom I believe to be every way qualified to fill either of those Offices above mentioned

---

[1] Reverend George Okill Stuart, minister of the Church of England at York

[2] William Birdseye Peters, a son of Reverend Samuel Peters.

[3] Formed in 1816 as the District of Gore

I have the honor to be
your Excellency's most Obedt.
& most Hble Servt
Robt. Addison
Minr of Niagara

(Dominion Archives, Sundries Upper Canada, 1812)

FROM JOSEPH EDWARDS TO HON JOHN McGILL

Niagara, 17th Jan., 1812,

Sir,—

In accounting for the above balance [£126.15.0] permit me to observe that a contract of work for the amount has been contracted for some part of the money advanced, and about £20 of the work actually done but the men through their tardiness being catched by the frost when as they say within two days of finishing I could not examine the same. Of course they remain as yet unpaid, and the whole uncharged. An exception may again be made to the purchase of spades under the impression that the law requires persons performing Statute Duty to come prepared with those articles. The British Statute does the same but implements are also furnished and I am fully convinced that the purchase of wheelbarrows and planks in addition to the above would be of great use on that road to assist the Statute Labour when the public money is expended.

It may be thought that I have unnecessarily protracted the appropriation of the money but I am confident the delay has been of good to the Public since it has enabled me to see the utility of a continued ditch on one side only of the road the water always finding its level has pointed out the places where to bridge across a channel [illegible] to let the water pass and has had the most happy effect on this road.

As to the £45 appropriated to the cross road in Grantham it is untouched in my desk. Soon after it was known that the money was voted I was applied to by one Joel Austin and who I dare say would have done the work faithfully. Not having been then appointed I could only promise to hear his proposals when that took place, he however it seems, went and having boasted of having got the contract and I soon found a violent party (Methodists) each individual of which had anticipated a share of the money was formed against him. After being appointed on the 5th of June I twice examined the place which I found little more than a pathway a long narrow causeway seemingly not wider than ten feet, with a ditch close on each side made diagonally across the lands of a few farmers for their convenience in going to mill in no place 30 ft wide and when speaking to some of them about moving their fences was answered that they would expect the spaces between the concessions in lieu. Some time after in company with Mr Crooks and Peter Hall Esq I again examined the road and found the same indifference among the few we could see, one would remove his fence if the other did. This is not yet done to my knowledge and until it is, in my opinion any money laid out would be thrown away

I have the honor to be &c.

Josh Edwards, Commist &c

Hon. John McGill, Inspector &c., &c York

The following letters show that Hugh Alexander carried on his business at Fort Erie until it was abruptly terminated by the declaration of war

FROM HUGH ALEXANDER TO PARKER, GERRARD OGILVIE & CO

Fort Erie Jany 20 1812.

When in Montreal last August I left with you twelve barrels pork and requested that the proceeds should be paid to Thos. Clark Esqr on his acct. at Montreal together with twenty barrels of flour which was still at that time at Prescott should Capt Gilkison keep that flour he was to remit to you 45£ Currency which he informed me this fall he had done —some time after Mr Clark's return I called to know if he had received the above which he said he had not and not having heard anything from him on the subject I have now drawn on you in favor of Messrs Lee & Clark for £90 Cy which you will I trust have the goodness to honor and should the above [have] been passed to Mr. Clark's credit since he left Montreal I will remit you either bill or flour early in the spring sufficient to discharge the above draft together with whatever compensation you may think right for the use of the money

FROM HUGH ALEXANDER TO ALEXANDER REA

March 21 1812, Fort Erie

I wrote you on 3 Oct. 1811 requesting you to send the whole of the phials which you had on hand when I left Montreal but have not had the pleasure to hear from you since In consequence of which I am led to believe that the letter must have been miscarried in which case if you have the said phials I will thank you to forward them to Mr McGevach as early as there will be any opportunity of forwarding as I have made promises on the supposition that they would have come last fall and the persons to whom I have promised are anxiously waiting their arrival this spring supposing they are on the communication last fall you will please advise me as soon as possible to say whether you have the phials yet or if you have sent them and what the profits are of your market this season

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Mar 25 1812

Yours 20th February came to hand the 15th Instant by which I am very well pleased to see the markets are looking up.

I have made an offer to Government for my pork and 200 barrels of flour but am not certain as yet whether it will be accepted or not as there is only a small quantity as yet wanted in this Province I shall be glad to hear from you as often as leisure will permit.

FROM HUGH ALEXANDER TO JABEZ D DE WITT

Fort Erie Mar 25 1812

I wrote you on the 3rd of Oct 1811 enclosing a small memorandum for some articles in your line of business but have not as yet had the pleasure to hear from you, therefore have been necessitated to procure the articles from another quarter—you will therefore have the goodness not to send the articles this spring as I shall have no use for them at present

FROM HUGH ALEXANDER TO WILLIAM ALEXANDER NEAR SCHENECTADY

Fort Erie Mar 26 1812

The first of the month I was at Long Point and Ephraim informed me that he was to remit you some money if possible by the first of April. I now enclose you sixty dollars which goes forward by mail and I hope will arrive safe and which place to his credit.

I want to see McDougall but he was gone to York. But left a line for me to say that he would be at this place in April and perhaps would have it in his power to pay part—business at this place a very dull at present. Ephraim was well when I left Long Point and also your friends in this quarter. With compliments to Mrs. Alexander and family

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, March 30th 1812

Your favor of the 23rd instant came duly to hand mentioning our verbal agreement respecting the transport business this season in which I will do the business for what you have stated and part which you have omitted at 1/6 N Y C. per barrel from this place to Chippawa, that being the same also as last year

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie Ap. 1 1812.

Agreeable to your request I called on Mr Lovejoy with your draft who mentioned he had remitted you the amount per Dr Cotham also I spoke to Mr Grosvenor presenting Mr McGevark the two accts the one say £10.8.0 currency which he has paid to Messrs. Clark and Street by request of Thomas Clark Esq and the other small amount of £2.16.0 Cy will be more convenient for him to settle in the same way as he has a demand against John Osborne who is in Clark and Street's employ. Having seen Mr Clark's acct. in favor of Mr McGevark of Aug 16 1811 for the said sum of £10.8.0 per Clark and Street's receipt for the said money by Mr Osborne I am well convinced that Mr Grosvenor's statement is correct in consequence of which I now enclose to you the above two accts. and also your draft on Mr Joshua Lovejoy for £0.2.0 N Y C.

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie, April 6, 1812

Having made a contract with a Mr Goodwin at Chippawa to build a boat for me which he now informs me will be out of his power unless I can procure the plank and scantling from you for that purpose. If you will therefore have the goodness to let him have the quantity I will pay you for the same and you will confer a favor on yours &c

FROM HUGH ALEXANDER TO JAMES CROOKS

Fort Erie April 18, 1812

Having a small acct. with Seth Winslow on his leaving this place he sent me the enclosed draft on W & J Crooks for £9.7.3 N Y C dated 24th instant, his reason for which date is best known to himself Having just heard that he has resigned I shall request the favor of your acceptance if agreeable. If it is not in your power to accept it you will have the goodness to deliver the written draft to the bearer Mr Grant

FROM HUGH ALEXANDER TO W & J CROOKS

Fort Erie May 2 1812

Yours of the 24th came to hand yesterday by which I find that £5.15.8 N Y C. on Mr Winslow's draft has been collected and as there is only remaining £3.11.7 due on the draft perhaps you may have it in your power the next time to draw the same on you I should expect are his agents in this quarter and in so doing you will confer a favor on yours &c.

FROM HUGH ALEXANDER TO WEST & HASBROOK, ONONDAGA

Fort Erie May 14, 1812

Your favor of 22 April I received the 4th instant and in answer to which I have to state that the 70 bbls of salt was Mr McCormick's property & returned by him the time mentioned in your letter say June 1 I shall also mention to Mr S [illegible] to be in readiness for you the first time I see him as to the delivery of salt at this place I am at a loss to state my price as very little is sold and if any it is on a credit of perhaps 12 months at 40/ per bbl. You will have the goodness to collect all you possibly can from Mr. Mead and forward it as you mentioned to Mr. McCormick if the laws will permit; if not forward it to Lewiston to whoever is your agent at that place or Mr. Joshua Fairbanks as you see proper.

FROM HUGH ALEXANDER TO CAPT. WILLIAM MILLS

Fort Erie, May 30, 1812

I understand that you have a quantity of cordage on hand in which I presume you have different sizes. Will you have the goodness to send by the return of the ship sixty fathoms of 6 inch or 6½ jute cable for the Chippewa with a bill of the same and when payable. If you could make it payable the 1st Oct. next it would suit me best.

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, June 24, 1812

I enclose you here my acct. for baking 2350 lbs. biscuit for the South West Company—amount £14.2.0, N.Y.C. which you will please pass to my credit. I also made use of 14 bbls. flour for said biscuit which was to be replaced at Queenston, four of which I have received; the other ten will you have the goodness to mark H. A. and ship with the rest of my flour. Should Gray's sloop be at Queenston I should wish you to ship any flour in her to Prescott—if not send it by the first safe vessel.

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, June 25, 1812

I have in my store 14 bbls. Potash and Pearl ash was marked G. H. for Messrs. Grosvenor and Hancock, Buffalo, and will be forwarded by the boat next trip. You will please to ship them in the first safe vessel to Prescott and consign them to Messrs. Tappan & Sewell, Montreal. All flour is from this at present.

Relations with the United States had become so unsatisfactory and menacing that instructions were issued to place the frontier military posts in Upper Canada in a suitable condition to resist an attack.

FROM NOAH FREER TO LIEUT COLONEL BRUYERES R.E.

Military Secretary's Office
Quebec, 3rd February 1812

Sir

I am directed by the Commander of the Forces to desire that you will take measures and give such orders as may be necessary that the following services at the posts mentioned in Upper Canada be executed with as little delay as possible viz

Fort George

The works &c at this station to undergo such repair as is necessary to render the post tenable.

Fort Chippawa

The picketting around this post to be repaired or renewed.

Fort Erie

The work already executed at this post to be closed.

Fort Amherstburg

To be made tenable.

St Joseph's

The picketting at this post to be repaired or renewed.

(Dominion Archives, Sundries, 1812)

Two letters from Charles Askin to his father then living at a house which he had named Strabane near Sandwich throw some interesting light on the proceedings of the provincial parliament

York 24th February 1812

Dear Father

I have been here some days on business part of which is to try and get some money from the Legislature to be laid out on a road passing through the place where I live[1] and to get exchanged from the Regt. of Militia to which I now belong into one in the district of Niagara, which I believe I will have no difficulty in doing as the President[2] has no objection to it I had the honor of dining with him the day after my arrival here and have an invitation to a Ball he gives to night, to which I intend going. The Legislature have not done much yet a bill has passed the lower House respecting the Militia. In every district there are to be two light companies to consist of one hundred men each who are to be called out six days in every month until they are perfect in their exercise. The law gives power to the President or person administering the Government to suspend such Officers of the Militia as he thinks proper. A Law respecting carriages meeting on the road has also passed the House all carriages meeting are to turn to the right and give half the road whether going or coming from Market.[3] A few days before I left home I had the pleasure of receiving a letter from you and one from Johny—I cannot answer yours till I return home but hope I shall soon have an opportunity of doing it after I get there. I expected James all winter but begin to fear now I shall not see till next summer.

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[1] The Canboro Road

[2] General Brock

Feb. 25th

I saw Capt. Elliott[4] last night at the Dance, he told me he had a letter from Archange to Theresa.

(Askin Papers, Burton Historical Library, Detroit)

FROM CHARLES ASKIN TO JOHN ASKIN SR.

40 Mile Creek Feby 28th 1812

Dear Father

I am now on my way from York where I have been some time and from which place I wrote to you a few days ago. A person who I have met here on his way to Detroit gives me a favorable opportunity of writing to you, which I embrace tho' I have little to say. The Legislature have done little this Session as yet and as the house is soon to be dissolved there will not be much done. A new Militia Act is passed. In every Regt. there are to be two flank companies to consist of one hundred men each which are to be out six days in every month for the purpose of training until they are perfect in their exercise regular soldiers will be employed to drill them. I believe the house has voted £5000 to the President to be laid out in such a manner as he thinks best, for having the Militia trained.

A law respecting travellers on the road meeting has also

passed the house, all persons meeting in carriages or sleighs are to give half the road and after December next no one is to drive a sleigh without Bells.

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[3] Entitled "An Act to Prevent Damages to Travellers on the Highways in this Province."

[4] Mathew Elliott, then member of the Legislative Assembly for the County of Essex.

Mr Nichol[1] was committed to Gaol at York by a warrant from the Speaker of the House of Commons the day before I left it this was for writing something to Major Halton[2] offensive to them in justification of his conduct when wrongfully accused by that House of not having accounted for Public money in his hands—it's so lengthy a business that I shall not enter more fully into it, as I should then not be able to give you all the particulars of it[3]—and you will have the whole of it from the members when they return home, which will be soon.

Orders have been received lately from Below to fortify York. I met the Engineer here this evening from Niagara on his way there (probably for that purpose).

(Askin Papers, Burton Historical Library, Detroit)

By a proclamation dated at York on 25th February, 1812, the following persons were appointed commissioners in the Niagara District to carry into effect the Act recently passed for the prevention of seditious conduct: Joseph Edwards of Niagara, John Warren, Sen. of Bertie, John Warren of Bertie, Samuel Street of Willoughby, Thomas Clark of Stamford, Thomas Dickson of Queenston, William Crooks of Grimsby and Samuel Hatt of Ancaster all of them being magistrates. The letter of Thomas Clark, acknowledging his appointment, has been preserved.

FROM THOMAS CLARK TO JAMES BROCK.

Stamford March 12th, 1812

Sir,

I have the honor to acknowledge the receipt of your letter of the 27th ulto. inclosing a Commission from His Honor the President empowering me to carry into effect an Act passed in the Fourth Session of the Third Provincial Parliament of this Province—entitled an Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof

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[1] Robert Nichol, then a commissioner for highways in the London District.

[2] William Halton, civil secretary to Lieut.-Governor Gore.

[3] See Papers and Records of the Ontario Historical Society, Vol. XIX, pp. 10-13.

To which Commissions please make known to His Honor the President that strict attention will be paid by

Sir

Your most obedt. servt.

Thomas Clark

James Brock, Esqr. &c., &c. &c.

(Dominion Archives, Sundries, 1812)

The following petition from three enterprising inhabitants throws some light on economic conditions.

To His Honor Isaac Brock, Esquire, President administering the Government of the Province of Upper Canada and Major General commanding His Majesty's Forces within the same

The Petition of James Macklem, John Fanning and Benjamin Hardison of the District of Niagara, Gentlemen.

Humbly Sheweth

That your Petitioners, four years since, laid before His Excellency Lieutenant-Governor Gore a Petition praying for a Grant of a certain mill seat lying below the mouth of the river Welland or Chippawa in the Township of Stamford wherefrom His Excellency promised that he would do everything which laid in his power in our behalf but probably owing to a multiplicity of business which engaged his attention we never obtained a final answer on the subject.

Your petitioners have resided in this Province about twenty years, during which period it has been their highest ambition to promote its true Interest and Prosperity by the encouragement of its population and by the promotion of Works of Public utility which exertions, they conceive, have been crowned with a Success in most respects equal to their wishes. One of your Petitioners, John Fanning, has been at heavy expenses in erecting Mills in this part of the Province, particularly one at Black Creek which was consumed by fire in February last whereby he sustained a loss of two thousand Bushels of Wheat.

It is impossible for us to point out the great want of Mills in this part of the Province; the Mills now erected at the Falls and at Bridgewater cannot manufacture near the quantity of Grain now raised in this Quarter of the Country and there are now in the aforesaid Mills upwards of twenty thousand bushels of Wheat though the inhabitants cannot obtain sufficient Flour for their own consumption. The and

Mills being possessed by a company who adopt such Rules and Regulations respecting them as best suit themselves the inhabitants having no alternative but to comply with these Measures consider themselves much aggrieved and burthened.[4] Your Petitioners therefore pray that your Honor will be pleased to take this Grievance into your wise consideration together with the aforesaid Petition laid before His Excellency Lieutenant Governor Gore

But if your Honor do not think proper to grant to your Petitioners the said Mill seat we most earnestly hope and pray that your Honor will not cause it to be granted to the aforesaid Company[5] but to some worthy Person wholly unconnected with said Company

If, in the opinion of your Honor that Petition would have greater weight with you by having the support of five hundred of the most respectable inhabitants of this Quarter their Signatures for that purpose may be obtained within a few Days.

We further pray that your Honor will be pleased to cause the Honorable Council to take this into their wise consideration and give us an answer to our former Petition which was ably supported by the most respectable inhabitants in this part of the Province.

And your Petitioners as in duty bound will ever pray

James Macklem[6]
District of Niagara John Fanning[7]
March 31st, 1812 Benjamin Hardison[8]

(Dominion Archives Sundries 1812)

The amended Militia Act was formally assented to on March 6th when the provincial parliament was prorogued

and very soon after orders were sent to the commanding officers of all regiments to assemble their men and call for volunteers to form the flank companies to be trained for six days in each month until reported efficient. Several of the reports of these officers have been preserved.

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[4] This discontent seems to have found expression in the election of John Fanning as a member of the Legislative Assembly for the fourth riding of Lincoln in May 1812. He died soon after and was succeeded by Isaac Swayze.

[5] Apparently Clark and Street.

[6] He had immigrated from Pennsylvania about 1794 and established a store at Chippawa (see Papers and Records of the Ontario Historical Society Vol XXVI p 251.)

[7] Fanning had come to Upper Canada about 1781, from South Carolina, where he forfeited property as a Loyalist, valued at £1133 10s, and married the daughter of a Loyalist. He had managed an inn at Chippawa for several years.

[8] He had lived in the province since 1776 and had been a member of the Legislative Assembly for the fourth riding of Lincoln and Norfolk, 1797-1800. See Papers and Records, Ontario Historical Society XXIV p 76.

FROM COLONEL RALFE CLENCH TO MAJOR-GENERAL SHAW

Niagara 1st Apr 1812

Sir

I enclose the return of the First Regiment of the County of Lincoln Militia by which you will see our total strength with the number of our loyal men who volunteered. You will likewise notice the great number who did not and I am happy to say that the major part of these persons are people from the United States totally with a few of our malcontent settlers in the towns of Niagara and Queenston and village of St. Davids where Captain Robertson's[4] mostly reside.

I also enclose a letter from Lieut.-Colonel Kerr[5] which he has stated to me personally to be his resignation. This you will please lay before His Honor the President, and I will thank you to let me know his pleasure thereon as soon as possible.

(Dominion Archives Militia Papers, U.C. 1812)

FROM LIEUT.-COLONEL THOMAS CLARK TO MAJOR-GENERAL SHAW

Stamford, April 3rd, 1812

Sir

I had the honor of receiving your circular letter of the 12th ulto. In consequence of which the 2nd Regiment of Lincoln Militia under my command was called out and met yesterday in the Township of Thorold when the supplementary Militia Law was explained as fully as in my power. Herein you have the field return of the regiment by which it will appear that out of 550 men, 522 volunteered to be trained and exercised in the flank companies when and in what manner may be directed by His Honor the President.

By the return you will perceive that two of my companies are without captains. Captains Warner & Reilly[6] having some time ago resigned from infirmity & old age. Should His Honor the President think proper to appoint others in their place give me leave to recommend Mr Robert Grant of Queenston who has formerly been a captain of militia in the Western District, and Lieut John Decow the oldest lieutenant in my Regiment.

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[4] William Robertson promoted to be Major 1 June, 1812 and Lieutenant-Colonel, 27 June, 1812

[5] Dr. Robert Kerr

[6] Probably Christian Warner and John Reilly both of whom had been sergeants in Butler's Rangers

(Dominion Archives, Militia Papers U.C., 1812)

FROM LIEUT.-COLONEL JOHN WARREN[1] TO MAJOR-GENERAL SHAW

Fort Erie 12th April 1812

Sir

I have had the honor of receiving your circular letter of the 12th ulto. with the supplementary to the Militia Law passed the last Session of the Legislature saying

That His Honor the President was anxious that the provisions therein contained should be explained to the men under my command, and that whatever measures His Honor might find it expedient to adopt he would dispense with a ballot until the last emergency.

I have great satisfaction in acquainting you that the behavior of the 3rd Regiment of Lincoln Militia has precluded the necessity of a ballot. Four companies of the Regiment are resident in the Townships of Bertie and Humberstone, the other four companies reside in Willoughby, Crowland and Wainfleet, on the east side of the Chippawa to the distance of thirty miles up that creek. It therefore became me to consider the ease of the men by lessening the fatigue of their assembling at too great a distance from their farms. The first four companies were ordered to assemble in Bertie on the 9th instant and the other four companies to form at the mouth of the Chippawa on the 10th, at both of which places I attended.

Of the companies of Bertie and Humberstone every man voluntarily turned out to the number of two hundred and six. The four companies at Chippawa also behaved well, out of two hundred and eleven on parade only five stood fast.

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[1] John Warren, Sr., had come to Canada with the 8th Regiment as a drummer but was appointed about 1780 assistant commissary at Fort Erie and held that appointment until his death in 1813. He was one of the first Justices of the Peace in the district of Nassau and the first Collector of Customs at the port of Fort Erie Passage, with an outpost at Long Point, and inspector of pot and pearl ashes.

While the circles were formed at both places and I had read and explained the acts, the officers were called upon to step forward and take the oath and after setting the example not the least hesitation was made, and every man, officers and privates stood around while Messrs. Street and Crowell Wilson administered it.

(Dominion Archives, Militia Papers, U.C., 1812)

A circular letter from Brock was sent to twenty-five officers commanding regiments of militia, including the five regiments of the County of Lincoln, giving them carefully considered instructions for the organization and training of the flank companies to be formed in their regiments.

Head Quarters, York, 8th April, 1812

Sir,

The power which is vested in the person administering the government by the amended act of the militia passed the last session of the Provincial Parliament of forming two flank companies to be taken indiscriminately from the battalion, being limited to the end of the ensuing session would almost deter me from incurring public expense upon a system which will cease to operate before its utility and efficacy can well be ascertained.

But being anxious at this important crisis to organize an armed force with a view to future exigencies and likewise to demonstrate by practical experience the degree of facility with which it may be trained for service, I have to request you to adopt immediate measures for forming and completing from among such men as voluntarily offer to serve two companies not to exceed 1 captain, 2 subalterns, 2 sergeants 1 drummer and 35 rank and file each in the regiment under your command.

You will have the goodness to recommend who you conceive the best qualified to undertake this important duty. The nomination of the subalterns is left to your discretion.

Such other regiments as are conveniently situated to receive military instruction shall have an opportunity offered them of shewing their ardor in the public service which cannot fail creating a laudable emulation among the different corps.

Assisted by your active prudence and intelligence, I entertain the pleasing hope of meeting with very considerable success and of being able to establish the sound policy of rendering permanent at the end of the present war a code of military instruction little burdensome to individuals and every way calculated to secure a powerful internal defence against hostile aggression.

Printed rules and regulations for your future guidance shall be forwarded as soon as possible; the most simple and at the same time the most useful movements have been selected for the practice of the militia.

Experience has shewn the absolute necessity of adopting every possible precaution to preserve in a proper state the arms issued to the militia and of guarding against the heavy defalcations that have heretofore occurred.

For which purpose you are authorized to prepare one or more depots in situations the most safe and convenient for assembling and drilling the men by squads and where the arms are to be lodged after each day of exercise.

You are allowed to charge in your contingent account at the rate of five pounds yearly for every twenty muskets issued for the use of the men, which sum it is supposed will prove ample to defray every expense of keeping the arms and accoutrements in a complete state of repair.

You will make application to the officer commanding at Fort George[1] for the number of arms and accoutrements wanting to complete the men actually engaged to serve in the flank companies and that officer has been instructed to comply with your requisition upon your transmitting duplicate receipts, one of which is to be forwarded to head quarters that you may become responsible for the articles delivered to your order; at the same time the most liberal construction will be given to any representation accounting for such contingencies as are incident to the service.

John Clark[2] has been appointed to perform the duties of adjutant under your command. Should you find him incompetent to the task you will feel it your duty to report the circumstances from whatever source it may arise.

I cannot dismiss the subject without expressing my expectations that your knowledge of the localities of the country will enable you to make such arrangements as will give the utmost facility to the important object in view without subjecting the men to any material inconvenience. Coming generously forward with an offer of their services they are the more entitled to every consideration.

Not only the place but likewise the time for assembling the companies or squads will be strictly attended to by you. It is my earnest wish that the little the men have to learn

may be acquired by way of a pastime and not looked upon in the light of an irksome restraint. The generality of the inhabitants being already acquainted with the use of the musket have the less to learn. You may therefore under the existing circumstances limit the parade of the companies to three times in each month.

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[1] Other regiments were authorized to draw arms, &c., from Kingston, York and Amherstburg according to convenience.

[2] For the 1st Regiment of Lincoln. James Kerby was appointed adjutant of the 2nd, Henry Trout of the 3rd, John Taylor of the 4th, and John W. McIntyre of the 5th. Lieut.-Colonel Johnson Butler commanded the 4th and Major Richard Hatt, the 5th Lincoln.

A little attention on the part of the men will very soon enable you to reduce even that short term of attendance. The chief object of the flank companies is to have constantly in readiness a force composed of loyal, brave and respectable young men, so far instructed as to enable the Government on any emergency to engraft such portion of the militia as may be necessary on a stock capable of giving aid in forming them for military service. To your prudence and exertions I confidently look for the attainment of a system so evidently conducive to the safety and tranquillity of the province.

(Dominion Archives, Militia Papers, U.C.M.D. 31)

The following documents give some indication of the care taken by Brock to appoint trusty returning officers and fix the date of the polling at a time agreeable to the candidates favored by him.

Queenston, 13th May, 1812

Received from Archibald Oliver, Corporal 41st Regiment on this Thirteenth day of May, 1812 one parcel containing Writs and Instructions for me as Returning Officer of Members for the Third Riding of the County of Lincoln to serve in the new Parliament at the ensuing Election.

James Kerby

(Dominion Archives, Sundries, 1812)

Burford 6th May 1812

Received from the bearers two Natives, the packet containing the Writ of Election, &c

Sir your most
obedient and humble
Servant

(Unaddressed) William D. Bowen

(Dominion Archives, Sundries 1812)

FROM J. B. ROUSSEAU TO JAMES BROCK

Ancaster 19th May 1812

Sir

I enclose you two receipts one from Mr Wm D. Bowen the other from Mr John Bostwick, acknowledging having received their Writs of Election.

Mr Hepburn's[1] and Durand's I delivered myself. I took notice of your direction not to forward Mr Bostwick's so early. But the Man that I sent to Col. Nichol with Col Talbot's letter got there sooner than I expected of course he received it a few days earlier than you wished. I hope it may be no ways material.

I enclose you a letter from Mr Bostwick also one for His Honor the President.

I am Sir
your very obedient
humble servant

J. B. Rousseau

James Brock, Esqr

(Dominion Archives, Sundries 1812)

A letter from Charles Askin to his father announced the purchase of the mills and adjacent lands in the township of Canboro.

Canborough May 22nd, 1812

Dear Father

I have been anxiously waiting to have an opportunity to write to inform you that I had jointly with Alex. Hamilton purchased of George Hamilton (who has lately bought of Mr Canby) the Mills[2] and one thousand acres of land situated near them which we have for some time past leased. For these we are to pay £2000 N. Y. C.[3] in ten years in goods at retail price payable by instalment—this I do not conceive to be more than about £1500 in money and the land at the lowest valuation is worth 10/ an acre which would reduce the Mills, dwelling house, Distillery and other house to £1000 which I thought very little for them, had it been in my power to have consulted you before I made the bargain I should have done it but it was impossible to do it for unless it was made immediately when it was proposed there was a great chance of its falling through and we [illegible] to have declined making the bargain I was making Alext Hamilton lose what he thought a good one for he would have nothing to do with the business unless I found him—George Hamilton bought 14,000 acres of this Township, on part of which were the Mills, for which he pays £7000 in 5 years with interest—this bargain is considered an excellent one by Mr Thomas Clark Mr Dickson[1] & some others who have speculated a good deal themselves in land & know the value of it well—Though I have no society here and have little or no amusement, I am well pleased with my situation for I am kept busy and have not time to be lonesome and I think my prospects of making something are greater than they were in any situation I have been in—I intend to leave this in a month to go and pay you a visit and should I have time I shall go to St Josephs to see Johny[2]

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[1] Probably William G. Hepburn.

[2] Probably the mills built by Canby on Moore's Creek. (See Papers and Records of the Ontario Historical Society Vol. XXIV pp. 85-86.)

[3] $16 000

I am in haste and must conclude Please give my love to my dear Mother my Brothers and Sisters

(Askin Papers Burton Historical Library Detroit)

A list of ships on Lake Ontario in 1811-1812, compiled from returns of lighthouse dues collected at Niagara and York, shows that commerce was actively conducted by water

Schooner	Ontario	87 tons
"	Niagara	55 tons
"	Collector	50½ tons
"	Prince Edward	77 tons
"	Julia	53 tons
"	Fair American	82½ tons
"	Governor Simcoe	136 tons
Sloop	Elizabeth	48 tons
Schooner	Lady Gore	46 tons
"	Genl Hunter	36 tons
"	Mary	35 tons
"	Two Brothers	36 tons
"	Eagle	26 tons
"	British Queen	23 tons
"	Sophia	25 tons
"	Lark	16 tons
Sloop	Marianne	36 tons
Schooner	Experiment	55 tons
Sloop	Enterprise	21 tons
Schooner	Charles and Ann	99 tons
"	Lord Nelson	46 tons
Sloop	Republican	17 tons
Schooner	Mary	51 tons

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[1] William Dickson of Niagara.

[2] His half-brother John Askin, Jr. storekeeper for the Indian Department at St. Joseph's Island

The Ontario, Niagara, Collector, John, Fair American, Experiment, Charles and Ann, Lord Nelson and Mary were purchased by the Navy Department of the United States and turned into ships of war. Several others were employed as transports by the British naval authorities.

The remarkable success in recruiting the flank companies of the militia with volunteers was promptly acknowledged by General Brock in a public manner:

Circular Government House

York, 25th May 1812

Militia General Order

The very satisfactory reports made to the President by the officers commanding corps of the spirit and zeal manifested by the men in volunteering their services for the flank companies has afforded His Honor the most lively gratification and confirmed the opinion which he was always disposed to entertain of their determination to defend bravely their country and in emulation of their veteran fathers evince by deeds the ardent loyalty they have so often professed. Conduct so honorable and dignified has not failed making a deep impression on the Provincial Government and to increase if possible their anxious desire to contribute everything in their power towards the comfort and happiness of the people.

With this view they have humbly solicited His Royal Highness the Prince Regent for his gracious permission to allot to the wives and children of such soldiers, militia and marines who may be killed in the present contest[1] a portion of the waste lands of the Crown and to afford relief to such as may be disabled in the service for whom no provision is otherwise provided.

By command of the President

Æneas Shaw

Adj. Genl. Militia

Upper Canada

(Dominion Archives: Militia Papers, M.D. 31)

A letter from George Hamilton to Thomas McKee apparently about the middle of May gives a striking account of military activity:

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[1] War was not actually declared by the United States until June 18.

Queenston May — 1812.

The Americans are assembling & sending troops as fast as in their power. A company came in yesterday & one the day before & another expected to-day & another to-morrow & so on to the end of the week. I can assure that the river has at present quite a martial appearance. The two forts are close below, the Royal George at anchor between them, the American frigate[3] expected up every day, a large scow & bateau filled with soldiers hauling stone for the garrison at York, huts with soldiers on one side, an encampment at McBride's on the other, another at Miller's & stragglers at Lewiston. Capt Powell[4] & riflemen at the great guns, Crooke[5] & his flankers in the yard here all yesterday. Alexr.[6] & his troopers on their way to the 12. McEwen[7] and his flankers there also. Capt Bullock[8] is indefatigable with the flankers on the mountain & with Col. Clark has been drilling them every day for this week past. If the Yankees come after all the Devil is in them, especially when my troopers[9] take the field we'll chop off their heads like heads of thistles.

(Toronto Public Library)

A letter from George Hamilton to his father-in-law, contains further details of the active preparations in progress for the defence of the frontier.

FROM GEORGE HAMILTON TO WILLIAM JARVIS

Niagara 5th June, 1812

Dear Sir,

The Royal George is now at the wharf with 250 recruits belonging to the 41st Regiment and the Gloucester to-night with 50 more on board, which you will agree with me is no contemptible addition to our forces here. Yesterday we had a grand display on the plains. Col Procter with the 41st Regt in the centre, Major Merritt with his light horse on the right and Captain Powell with his company of artillery on the left and to do them no more than justice they fired remarkably well. The General[1] appeared highly pleased with them as also the Sheriff's troop. The General was pleased to say the other day he wished another troop to be raised in Stamford and from that to Fort Erie and wished me to take the command of it which I had not the slightest objection to informing me that Merritt was to be Major of the whole. As Alexander [Hamilton] who is Captain of the troop here had gone to Long Point and did not make his appearance I took possession of his jacket and accoutrements which luckily suited me exactly and appeared with Merritt as Captain of the troop and was complimented on my appearance and the new dress. I had taken care however beforehand to state the case fairly and on waiting on the General afterwards he did not seem displeased but directed me to call on him to-morrow and he would present me with my commission. I dined with him afterwards and am now here again only waiting his return from the garrison to be dubbed captain and the intent of this long preamble is to beg of you to assist me in getting my accoutrements. --- --- --

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[3] The Oneida

[4] Captain John Powell, 1st Lincoln Artillery

[5] Captain James Crooks, 1st Lincoln

[6] Captain Alexander Hamilton, 1st Troop Niagara Light Dragoons

[7] Captain John McEwen, 1st Lincoln

[8] Captain Richard Bullock, 41st Regiment, Adjutant-General of Militia, 1838-1839

[9] He was then enlisting a second Troop for the Niagara Light Dragoons, which was never completed.

(Toronto Public Library)

The first act of hostility on Lake Ontario was the capture of the merchant schooner Lord Nelson, owned by William and James Crooks of Grimsby by the United States brig of war Oneida, acting under special instructions from superior authority of which the following official account was given by her commander Captain Melancthon T Woolsey in a letter to Paul Hamilton Secretary of the Navy

U S Brig Oneida
Sackets Harbour Roads,
June 9th 1812

Sir

I have the honour to inform you that I sailed on the 3rd instant on a cruise to the Westward. On the 4th (off Pulteney Ville) discovered three sail to windward apparently standing in for Genesee River—gave chase to them but night coming on and the weather being too hazey to run in for the mouth of the river hauled off shore for the night under short sail. At day light on the 5th discovered two schooners (supposed to be two of the three we had chased the day before) standing in for the land. At 7 p m we brought to one of the schooners which proved to be the Lord Nelson from Prescot (a port opposite Ogdensburgh on the St Lawrence) said to be bound to Newark in Canada, she had no papers on board other than a log journal and a bill of lading of a part of her Cargo, but no register license or clearance w[h]ether it was intended to smuggle her Cargo on our shores or w[h]ether she was hovering along our shores to take on board property for the Canada market in violation of the Embargo law I was not able to determine but appearances were such as to warrant a suspicion of her intention to smuggle both ways. I accordingly took her crew out and sent her in with my gunner on board as prize master to this port. After dispatching her I stood off shore in chase of the other schooner which the master of the Lord Nelson informed me was the Mary Hatt[4] also a British schooner but finding that she had crossed the line, I bore up for this port in order to lay up the prize and make my report to the Department. All the proofs which I can collect respecting her voyage I will transmit without delay to the District Attorney.

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[1] Brock

In compliance with the recommendation from the President of the United States on April 1 the Congress had passed an act laying a general embargo for sixty days on all vessels then in port or hereafter arriving as a preliminary to a declaration of war. The instructions sent to Woolsey soon after were so vague as to enable him to make seizures at discretion.

Navy Department, April 8, 1812

Sir,

You will herewith receive a copy of the act laying an embargo &c. passed the 4th instant. You will use all the means in your power to enforce this law.

Advise and co-operate with the collector of customs.

The proper objects of seizure are all vessels acting or found under such circumstances as may satisfy a strong suspicion of the intention to act in violation of this law.

In enforcing this law we are not to violate the territorial jurisdiction of a foreign state.

All vessels seized under this law are to be sent into port for adjudication; the papers found on board of them are to be placed in the hands of the district attorney who will thereupon proceed according to law.

Paul Hamilton

M. T. Woolsey Lieut Commanding
Brig Oneida, Sackett's Harbor, New York.[5]

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[4] Named in honour of a daughter of Richard Hatt of Ancaster.

[5] Statement of the seizure of the British Schooner Lord Nelson, by an American Vessel of War on the 5th June, 1812, thirteen days before the late war with the United States, Hamilton Journal and Express Office 1841 p. 12

The Lord Nelson was a new ship built at Niagara in 1811 and very well constructed. As soon as her seizure was made known to them one of the owners went to Sackett's Harbour and offered to give security to abide the decision of the court of the United States on the charge of a violation of the embargo but the release of the ship was refused. The declaration of war soon after put an end to all intercourse and under an interlocutory decree the Lord Nelson was sold and purchased for the Navy Department of the United States. She was converted into a gunboat, renamed the Scourge, and armed with ten guns. The purchase money $2,008.25 was paid into the hands of Theron Rudd, clerk of the court, to await a final decision of that court as to its disposal. On the night of August 9, 1813, while carrying all sail to escape from the British squadron, the Scourge was struck by heavy squall and overset with the loss of most of her crew of fifty men. After the conclusion of peace, a claim was made for compensation for an illegal seizure and in July, 1817, a decree of the court was obtained for the payment to the owners of the money held by the clerk, but it was discovered that he had appropriated it to his own use and become bankrupt. After the death of William Crooks the suit was prosecuted against the government of the United States by Hon. James Crooks, his brother, and after his death by their heirs and after the death of those heirs by their heirs. They valued the schooner at $5,000 and her cargo at $2,943.76. The claim was kept before Congress for nearly a hundred years. Its justice was repeatedly admitted and two Presidents urged its payment in messages. Finally on the 1st May, 1914, judgment was given to the claimant in the sum of $5,000 with interest at four per cent per annum for ninety-two years, making in all nearly $24,000.

Returns compiled early in July showed that the flank companies of most of the Lincoln regiments were much over the strength originally authorized. On July 3 Captain Samuel Hatt's and Captain James Durand's flank companies of the 5th Lincoln were each reported to consist of three officers, two sergeants and seventy-two rank and file, while Captain Jacob A. Ball's battalion company of the same regiment only numbered two officers, three sergeants and twenty-two rank and file, and Captain John D. Servos's numbered three officers, three sergeants and twenty-five rank and file. Nine hundred men from the flank companies of the Lincoln and York militia were ordered to march to the Niagara frontier and arranged in four divisions, the first or right division to be stationed at Fort Erie, the second at

Chippawa, the third at Queenston and the fourth at Fort George. The strength of the detachment for the right division was fixed at three hundred men and each of the others at two hundred. The first and second divisions were to receive orders through Lieut.-Colonel Thomas Clark and the third and fourth through Colonel William Claus. On July 7 the third division was composed of four officers, three sergeants, one drummer and one hundred rank and file of the 41st Regiment, commanded by Capt. P. L. Chambers, one sergeant and three troopers of the Niagara Light Dragoons, a captain, a sergeant and twelve rank and file of the Lincoln Artillery, Captain Samuel Hatt's flank company of the 5th Lincoln of three officers, three sergeants and sixty-three rank and file, Captain James Durand's flank company of the 5th Lincoln of three officers, two sergeants and sixty-six rank and file, Captain John Chisholm's flank company of the 2nd York, of three officers, two sergeants and thirty-four rank and file; and Captain William Applegarth's flank company of the 2nd York of two officers, three sergeants and forty-five rank and file. This body of militia, numbering 246 of all ranks, was placed under the command of Captain Hatt.

The detachment forming the fourth division consisted of Captain James Crooks's flank company of the 1st Lincoln of four officers, three sergeants and sixty-two rank and file, Captain John McEwen's flank company of the 1st Lincoln of four officers, three sergeants and sixty-seven rank and file, Captain Lyon's rifle company of three officers, two sergeants and twenty-four rank and file, Captain Abraham Nelles's flank company of the 4th Lincoln of three officers, three sergeants and seventy-seven rank and file and Captain William Crooks's company of the 4th Lincoln of four officers, three sergeants and seventy-two rank and file. Making a force of 334 of all ranks, it was commanded by Lieut. Colonel Johnson Butler[1] of the 4th Lincoln.

The roll book of Captain John D. Servos's company of militia contains a list of persons excused or incapacitated from military service which is not without some local interest.

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[1] He died on service, 1st September, 1812, and was buried in the family burial plot.

Roll of males in the limits of Captain John D. Servos's company 1st Regt. (Lincoln Militia) September 7, 1812.

Age		Infirm	Remarks
67	Peter Ball		Half pay officer
56	Thomas Butler[A]		do. do.
60	Bernard Frey[B]		do. do.
62	John Clement[C]		do. do.
46	Benjamin Pickard		Miller
55	Frederick Mannel		Militia officer resigned
26	Charles Rolls[D]		Militia officer in England.
76	Joseph Anderson		
58	Joshua Ferris		
57	John Cutten	Infirm	
51	George Huston		
21	John Hunse	Infirm	
62	John Bone, Sen.	do.	
40	John Bone		In the pillory
62	Ezekiel Cudney		
57	George Lawrence[E]		Capt. militia resigned
52	Robert Donaldson	Infirm	
48	James Clement[F]		Militia office resigned
23	John Thompson	Infirm	
61	Robert Thompson	do.	
63	Amos McKinney		
55	Marlow Riley	Infirm	
53	Jesse Loder	do.	
50	John Ball		Magistrate
64	John Silver		
69	Castle Corus[G]		
60	Michael Erlinger		
54	Samuel Perks		Armourer
56	Garret Slingerland	Infirm	
54	John Secord	Deaf	
71	Johnathan Lawrence		
60	John Hays	Infirm	
58	John Woleman	do	
46	Josiah Corbin	do.	

[E] Died December 1813

[B] Killed in action, 21 November 1812

[C] Died 1845 aged 87

[D] Died 1847 aged 84

[A] Died 1848 aged 91

[F] Died March 1813, aged 49

[G] Died 1836 aged 96

The termination of the armistice by the government of the United States was announced by General Brock in a forceful district general order.

Fort George, Sept. 8th, 1812

D. G. O.

Major General Brock was disposed to view the armistice as the forerunner of a restoration of peace and amity with the United States. The pretexts on which their declaration of war was chiefly founded having been removed by the British Government and an opening offered by it to an adjustment of all difficulties of minor importance between the two countries. But in vain has Great Britain thus held out the hand of conciliation. It has been rejected. The President of the United States having thought fit to direct their troops to resort again to active warfare and what motive can exist for his authorizing a renewal of hostilities at the same time too (as is confidently asserted) that he has sent an ambassador to England to treat for peace.

Is it to facilitate its attainment that he by his own voluntary act places the two countries in a situation to inflict mutually the horrors of war thereby to have their minds the more embittered toward each other? Perhaps indeed, he may imagine that by conquest on the side of Canada he can indemnify the United States for the loss to which they were exposed on the Atlantic side from the superiority of the naval power of Great Britain and that with a portion of her provinces in their possession more favorable terms would be obtained in a negotiation for peace but the militia of this province have too just and manly a sense of what they owe to their own personal dignity and independence to be disposed of at the will of the chief magistrate of any foreign country. They will not sink to the degradation of unresistingly becoming a make weight to be thrown by his hand into the scale—such baseness belongs not to them. They have already offered to the world an instance of what can be effected by the aid of their loyalty and valour and Major General Brock relies with confidence on the continued exertion of these ennobling qualities for defeating any design on this province and for contributing no less honorably for themselves than usefully to their families to their King and their country towards bringing the contest in which the implacable enmity of the American Government has engaged us to a favorable issue. By order

Thos. Evans
B.M

D G O

Major Genl Brock commanding will inspect the barracks occupied by the militia in this garrison in the course of to-morrow

By order

Thos Evans

B M

(Dominion Archives, Militia Papers 1812)

The reluctance of many of the recent immigrants to perform military duty is shown by the following letter from the commanding officer of the second regiment of Lincoln militia.

FROM LIEUT-COLONEL THOMAS CLARK TO CAPTAIN CHARLES ASKIN

Chippawa, September 24th 1812

Sir

I wrote you on the 8th of this month that 40 of the men attached to your company had not attended at this place to be inspected & take the oath of allegiance as directed in the last militia act. Some of these however have since attended at this place and taken the oath. Those of the inclosed list I have neither seen nor heard of. You will therefore see that they and each of them immediately take & subscribe before some magistrate the oath of allegiance as directed in the last militia act and according to the militia General Order to that effect & so soon as possible afterwards report to me accordingly and be particular if any there be who may refuse to take the oath.

I am Sir

your very obedt servt

Thomas Clark Lt-Col.

2nd Lincoln Militia

To Capt Charles Askin

or officer commanding

company of militia at

Canbetry & Lower Haldimand.

(Dominion Archives Askin Papers 1812)

An unpublished letter from Sir George Prevost to General Brock demonstrates his earnest desire to avoid further hostilities by refraining carefully from all offensive operations.

Head Quarters, Montreal
30th September, 1812

Sir

I have been honoured with your letter of the 18th inst. Having received information that the revocation of the Orders in Council the conciliatory disposition shown by His Majesty's Government towards the United States, and the knowledge of the pacific advances made have produced throughout America the best effects upon the public opinion so as to render the war extremely unpopular. I should consider it extremely unfortunate if any temptation or provocation should induce you to abandon those defensive operations suited to the present state of the contest and which it has become both prudent and politic to persevere in observing.

I can derive no satisfaction from any result that may attend Captain Muir's movement against Fort Wayne however favorable to our arms as it does not accord with my instructions to you founded upon those I have received from the King's Ministers and is moreover not calculated upon the present military resources of this command.

I supposed an extreme case when I desired a co-operation from the forces in Upper Canada such as the evacuation of Montreal and the King's troops falling back upon Quebec before an overwhelming force. It is in that event a combination of invasion upon Lower Canada with your disposable force may have the effect I then mentioned.

A very unpleasant report has reached my ear of want of decision and energy in the conduct of Major Heathcote commanding the Newfoundland Fencibles upon a late occasion when the detachment under his orders was attacked near Prescott. It may be proper to institute an inquiry into the circumstances of that affair and if misconduct is established to mark it with reprobation. You will therefore give the necessary orders thereon to Colonel Vincent.

I shall not fail in communicating to Sir John Warren (our appointed negotiator with the United States) the sentiments you entertain respecting the Indians but I cannot disguise from you that it is my opinion that the present policy of Great Britain being earnestly to get rid of the difficulties occasioned by the war with America little disposition will be manifested to espouse with warmth the cause of our Indian allies. I may be mistaken but Sir John must be requested to transmit to the Secretary of State the memorial sent him which had been presented to me by the Montreal merchants. You must therefore avoid committing our Government either by promise or treaty but on the contrary restrain and control their measures so as to prevent that irritation in the United States which may render their very name an insurmountable obstacle to future arrangements in their behalf.

I have complied with your request with regard to the advance of £5,000 to the Receiver General of Upper Canada for the civil expenditure of that province and as I understand from Lieutenant Colonel Nichol that he is to be furnished with a letter of credit from the Receiver General to enable him to make the purchases of the necessaries you want,[2] I have directed the Commissary General to advance to Lieutenant Colonel Nichol to the amount of £5,000 should he require it on the account of the Receiver General should he require less than that amount the balance will be transmitted by him in army bills to the Receiver General. Colonel Vincent having also signified to me the necessity of furnishing Mr Ross the Commissary at Kingston, with £4,000 for the subsistence of the militia and paying the fresh beef contractors for Kingston, Leeds and Cornwall and other expenses of those districts, I have directed that amount in army bills to be sent to him and Lieut Colonel Nichol will take charge of them. The Receiver General will of course forward to the Commissary General his receipt for the £5,000 including as a part thereof whatever amount Lieutenant Colonel Nichol shall have received on his account.

(Dominion Archives, C 1218, pp. 443-445.)

A short letter from Colonel Claus, evidently written in much haste, unaddressed and undated, giving an inaccurate account of the capture of two British ships at anchor near Fort Erie has been preserved.

Fort George 8th Oct. 1812

Dr. Sir

On the 14th Ultmo Col Elliott with Captain McKee & about 600 Indians left Amherstburg on an Expedition against Fort Wayne on the head of one of the branches of the Miami & was to be followed by Captain Muir with about 300 of the 41st Regt and Militia. The enclosed copy of Col. Elliott's letter to me of the 3rd Instant which I send this day will shew you the failure of the expedition.

On the night of the 9 Inst a number of boats from Buffalo Creek made a descent on the Lake & drop[p]ed down to Fort Erie & cut adrift the brig Detroit & sc[h]ooner

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Blankets, clothing and camp equipage for the militia on duty

Caledonia & W[illegible] vessel—the form[illegible] on the point on [illegible] Island [illegible] to some of our [illegible] the other on the [illegible] where she sunk as low as the water would allow being shot in the hull from our side. The Detroit altho' several [illegible] by us to be got off was set on fire by the Americans & burnt up. Lieut. [illegible] a brave young man who commanded the Detroit after [illegible] both hands was [illegible]. I have not been able to learn the true account it must have been a bloody time

(Claus Papers, copy by Miss Catherine Claus.)

Late in the afternoon of October 13, General Van Rensselaer sent over a flag of truce to make enquiries about wounded officers and soldiers and this was followed by a written message proposing to send over surgeons to attend them and proposing an armistice for three days. General Sheaffe suggested in reply that all wounded prisoners should be removed across the river on condition of their not serving again until properly exchanged and agreed to a cessation of firing for three days. In a second letter written next day he proposed a partial exchange of prisoners and that the militia captured at Queenston excluding those who might be exchanged, "shall be restored to their homes and families under an engagement not to serve against Great Britain or her allies during the war or until regularly exchanged."

Van Rensselaer readily assented to this proposal and sent an officer to make suitable arrangements which were completed on October 15. Next day General Sheaffe proposed an extension of the armistice until the exchange of prisoners could be completed and General Brock buried. His opponent cordially agreed to extend the armistice to October 19 and announced that he had given orders for firing salutes for Brock's funeral at Lewiston and Fort Niagara that afternoon. The correspondence had been conducted on both sides with much politeness. On the same day Van Rensselaer turned over the command of his troops to General Alexander Smyth of the United States army who adopted a different tone in the interchange of letters.

FROM BRIG.-GEN. SMYTH TO MAJOR GEN. SHEAFFE

Head Quarters, Lewiston 17th Oct. 1812

Sir

A letter addressed by you to Major Gen. V. Rensselaer has been put into my hands wherein you propose to exchange a Lieut. of militia and a private for an Indian savage taken a prisoner by our troops

I regret receiving from you a proposition to which I cannot accede

(Dominion Archives C 688 B p. 135)

General Sheaffe lost no time in replying at considerable length

FROM MAJOR-GENERAL SHEAFFE TO BRIG GENERAL SMYTH (Draft)

Fort George, 17th Oct 1812

Sir

I have the honor of acknowledging the receipt of your note of this date and regret that I have made a proposition to you that you find it necessary to reject especially as it was made at the particular request of B General Wadsworth As that has failed I presume that the prior agreement respecting the Indians in question which was entered into by Colonel Winder still remains in force, and that the Indian will be sent back to-morrow Not yet having heard of the return of the prisoners who were to have been sent over from Buffalo or Black Rock early this morning according to the assurance given by Col Winder and for whom prisoners have already been sent as an exchange I request if they have been intentionally detained that you will be pleased to inform me of the cause

Mr Hamilton who has been some time detained at Buffalo has brothers and other near relations in this vicinity who have heard some accounts of the state of his health by which they are much alarmed I therefore permit one of his brothers to go over with a flag to Buffalo to obtain some information of him and I beg leave to propose that Mr Hamilton shall be allowed to join his friends an officer of a rank that may be deemed equivalent being released from his parole in exchange for him.

(Dominion Archives C 688 B 133-4)

Brig. General Wadsworth who was still a prisoner of war then applied for the liberation on their parole of two officers of the regular army of the United States, who had not been included in the original agreement which related only to officers of the militia and Sheaffe readily assented.

FROM BRIG-GENERAL WADSWORTH TO MAJOR-GENERAL SHEAFFE

Newark Oct 17 1812.

Sir

Major J. R. Mullany and Capt. Peter Ogilvie, Jun. have familys and are not in the most pleasant condition to leave.

I shall receive it as a great favor if you will permit them to return on parole.

(Dominion Archives, C. 688 B, p. 136)

The draft of a second letter from Sheaffe to Smyth has been preserved, which may relate to this proposal.

17th Oct. [1812]

I have the honor of forwarding a note addressed to you which B. G. W[adsworth] has delivered to me. I avail myself of the opportunity to request that I may be informed at what time I may expect the prisoners in your power at Lewiston and Buffalo to be sent over and if anything yet remains to be done on my part to accelerate the execution of the agreement for their exchange.

(Dominion Archives, C. 688 A, p. 192)

Smyth's reply to these letters was framed in a decidedly aggressive spirit.

FROM BRIGADIER GENERAL SMYTH TO MAJOR-GENERAL SHEAFFE

Head Quarters of the Army of the Centre,
Camp near Lewiston 18 Oct 1812

Sir

Your letter dated yesterday I have this moment had the honor to receive.

In the agreement respecting the exchange of prisoners signed by Colonel Winder & Major Evans there is nothing said of the Indian Chief. But any verbal agreement entered into by Colonel Winder will be fulfilled.

Colo. Winder addressed a note to Genl V. Rensselaer stating that you estimated the Indian chief as equal to a [illegible] a major and requesting instructions

I propose to exchange the Indian chief for the 24 men, 7 women 6 children taken at Chicago or such of them as were not butchered.

The prisoners at Buffalo have not been intentionally detained The transfer of command has prevented the order being given for their release it shall be immediately given

The conduct of Mr Hunt himself particularly in attempting to cross to Canada by night and alone would perhaps justify us in treating him as a spy But willing to proceed in a liberal manner I accept your proposition for his Exchange The delicacy of his situation and the importance of his connexion will justify me in estimating him equal to a captain of regular troops.

For the master commandant of the Detroit alias Adams I expect a captain of regulars in exchange I think he ranks so by your regulations. For Mr Carr Lt of Marines & Mr Molloy you will please to release Lieutenants Totten & Randolph

I am very sorry that at the moment I am writing this despatch a british prisoner is found exploring the camp having left his quarters about a mile distant I have placed him in close confinement.

As I am averse to taking a single life or occasioning a single calamity without an object I propose a further continuance of the Armistice indefinitely each party having a right to terminate it, giving thirty hours notice to the other party the armistice to extend along the frontier from the Lake Erie to Lake Ontario.

(Dominion Archives C. 688 B pp 141 143)

A draft of Sheaffe's reply contains several interlineations and erasures, but was sedulously conciliatory

Fort George, 18th October 1812.

Sir

I have the honor of acknowledging the receipt of your communication by Captain King Assistant Inspector General.

That there was nothing said of the Indian Chief in the agreement for an exchange of prisoners signed by Colonel Winder and Major Evans was owing to a supposition on the part of the latter that the case was already provided for by a special agreement between Colonel Winder and myself that

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Ensign Thomas Kerr, Royal Newfoundland Regiment, mortally wounded at Frenchtown, River Raisin, 22 January 1813 an Indian was taken prisoner having been mentioned in conversation before these two officers began the discussion of the subject on which they were to treat (and I was so strongly impressed with the idea that the exchange was finally settled that I gave an assurance to his friends that he was to be restored)* With regard to your proposition to exchange the Indian Chief for the men, women, and children, or such of them as (were not butchered)** may survive, I infinitely regret, Sir, that it is not in my power to restore them all without conditions. In (the transactions to which you allude)** operations against that place neither the British Govt nor the influence of its officers, nor a British force was concerned, or probably your present proposition would be needless I must therefore disclaim (any)* stipulations regarding them but whatever may be in my power towards obtaining the restoration of the survivors to their friends I shall most joyfully do, unconnected with the present subject of discussion

(I cannot admit it as a principle though Mr Hamilton's conduct during his detention may not have been in some respects justifiable yet I conceive that having been provided with a passport his attempt)** There are (particular)* circumstances perhaps in Mr Hamilton's case that (make me desirous of avoiding discussion)** I am not qualified to discuss and as I am anxious for his returning into the bosom of a family that has suff[ere]d so much on his account I am willing to grant more than perhaps ought to be deemed an equivalent for him.

The late commander of the Detroit belonging to the provincial marine ranks with us only as a Lieut of the regular troops. Mr Molloy's rank is inferior to that of a Lieut but Sir I am desirous that the opening of a correspondence between us should be marked by a spirit of liberality conformably with which I propose that for

Mr Hamilton,
Comm'y Rolette,
Lt Ket

Mr Molloy and the Indian chief should be returned to you two captains of regular troops the two Lieuts you have named and Lt Smith who took the Indian chief and the Mr Smith already offered with him or a major of militia as originally proposed or if you have any substitute to name I beg that you will make it known to me

As my sentiments perfectly accord with those you express in the opening of your proposal for continuing the

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(*) Omitted (**) Inserted

armistice I assent to its being prolonged indefinitely, each party having a right to terminate it, giving 30 hours previous notice.

I am extremely sorry to hear that a british prisoner has been so indiscreet as to render himself liable to punishment. I hope that he has erred from ignorance and that an enquiry into the case will satisfy you that it was so.

(Dominion Archives C. 688 B. pp. 137-140)

This letter had an immediate mollifying effect and Smyth replied next day:

Head Quarters Camp near Lewiston Oct. 19th, 1812.

Sir

I have received your letter of yesterday and close with all your propositions.

You will be pleased to give liberty to Capt. Gibson, Capt. Machesney, Lieutenant Totten, Lieutenant Randolph, Lieut. Smith and Mr. Smith.

The prisoners at this place you will receive to-day & orders have gone by express for the release of those at Buffalo.

(Dominion Archives C. 688 B. p. 144)

General Sheaffe amended his official account of the battle at Queenston[3] by a short memorandum addressed to the military secretary of Sir George Prevost:

Fort George 18th Octr. 1812

Memorandum

In my despatch of the 13th inst. I omitted mentioning my A.D.C. Ensign Coffin. I discovered the omission in reading it and I fear that I did not rectify the error. It should have been thus "I found the services of Lieut. Fowler 41st Regt. &c. &c. &c. and of my A.D.C. Ensign Coffin[4] very useful." I beg that the correction may be admitted into the despatch.

(Dominion Archives C. 677 p. 140)

On the day after the battle of Queenston Heights Charles Askin described the action as well as he could from the information he had then received in a letter to his father

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[3] See Documentary History of the Campaign on the Niagara Frontier in 1812, Part II, pp. 71 and 7[illegible] and Wood, Select British Documents of the Canadian War of 1812, I, pp. 601-608.

[4] Afterwards Colonel Nathaniel Coffin, Adjutant-General of Militia for Upper Canada, 1813-1837. Sheaffe's brother-in-law.

FROM CHARLES ASKIN TO JOHN ASKIN

Dear Father Niagara Wednesday Octr 14th, 1812.

Yesterday I am happy to say a great victory was gained by us over the Americans at Queenston but it is a dear bought victory for our ever to be lamented General was killed. The action commenced about one hour before day light and continued till three or four o'clock in the afternoon. Early in the day the General received a wound and I believe never spoke a word after. When the Americans first came over there were only two companies of the 49th Regt and two or three companies of militia to oppose them. In one of the companies of the 49th Wm. Robertson went with Mr Robt Grant as volunteers and distinguished himself very much. The Americans opened a battery on us and we threw over shells and cannonaded them as much as we could but not to much effect for they continued coming over. The militia and 49th being engaged so much were soon much reduced by their killed and wounded. When information was given to the General that the Americans were getting on the mountain he immediately ordered Col. McDonnell to collect what men he could find [and] oppose them for at this time the 49th and militia were in different parties. About 40 men were collected. They ran up the mountain and found about two or three hundred of the American regulars there well formed. Wm R[obertson] who was at the head of the 40 men ran forward and hollowed out to the Americans, "Now we will be at you." But the Americans immediately fired at them and obliged our men to retire down the hill. We had a battery half way up the mountain which was but weakly guarded. The General was there and was obliged to leave it and the Americans took possession of it. It was soon after this that the General got the wound which killed him. The Americans had possession of part of Queenston for some time and kept it as well as the battery and were busy bringing over their men as fast as they could, till reinforcements from this place and Chippawa of the 41st, militia and Indians, formed as I understand on the mountain and attacked them so vigorously that they ran down the mountain as fast as they could and made for the river to get over and some attempted to swim. When the American General on the other side seeing what a perilous situation they were in sent over a flag of truce and they all surrendered prisoners of war. They were all marched down to this place and got here about sundown. They came over to breakfast on this side but I believe it was a day of fasting with them. There are about six hundred men taken and nearly fifty officers. One company of riflemen had made their way into the woods & remained there all night. We heard this morning that the Indians were after them and a party of the 41st & militia are sent this morn[in]g to protect them what I must say they hardly deserve. Had they not surrendered yesterday they would have all been driven into the river for they fled before our men the grenadiers of the 41st, who were anxious to retrieve their character, were very anxious to charge them but they ran before them so fast that they never could get up to them and went down what you might almost call precipices to get out of the way of our men. What number of our men were lost I cannot say but there are few considering the time they were engaged. I think we have lost about sixty men and only one officer which was poor General Brock. Col McDonnell is dangerously wounded and several officers of the 49th are wounded but not badly. The Americans I think must have lost more than a hundred and I am told several of their officers were killed at least six or seven. Among those taken is General Wadsworth, Cols Allen, Van Ranselaer, & Scott and some other Col.

When the Americans were first coming over about 80 who were in a scow were so galled by the fire from a few of the 49th Regt. that they begged for quarter and were taken prisoners. I saw a great many of the prisoners, one half of whom are militia, these were anxious to know and were in hopes of being allowed to go home as the militia taken at Detroit [were] but when they were told they would have to go to Quebec they were not very well pleased. Had they had an idea of it there are not many of them would have put their foot on this shore. I regret much that I could not share in the honor of the victory. After my arrival at Queenston I was confined to bed with boils and was two days that I could not get up to my meals nor could I hardly sit up in bed for the worst of the boils and the one broke the day before they came over. I was lying at George Hamilton's when we were first attacked and went from that to Robert's as well as I could there I remained about an hour but finding the Americans were gaining ground I thought that as I could not run that I should get out of their way as I could & went to a village about 2½ miles back and from that I came down here to get arms for some men that were there.

I have not time to write more & paper is so scarce that I can hardly get a sheet. This I had to beg.

The two flank companies of the Newfoundland Fencibles are on their way to Amherstburg. I think there are nearly two hundred of them.

(Dominion Archives, Askin Papers. 1812

49th, Davids.

On the day of General Brock's funeral Charles Askin wrote a short letter to his father.

Niagara 16th Octr 1812
Friday 3 o'Clock P.M.

Dear Father

I wrote you two days ago giving you an account of an action which was fought at Queenston on Tuesday last, in which engagement we were Victorious, but when I wrote you I did not know the great advantage we had gained over the Enemy, we have took on that day nearly eight hundred prisoners sixty five of whom are officers and we killed and drowned I think about two hundred more, we took one of their standards also and a six pounder, it would have been a great Victory had we not lost our Gallant General Brock, who was killed when animating the 49th Regt and desiring them to charge the Enemy who had just then taken our Battery on the Mountain soon after the General was killed his Aid de Camp Col McDonnell received a wound of which he died two days after he was a very promising young man—both him and the poor General were just now interred, the procession was grand. The Indians formed a part of it—

We have had a Cessation of Hostilities for three days by Agreement, it terminates in about an hour—but I hardly think we will be attacked for some days though they have a very large force on the other side. I am told that many of those who came over were drove into the boats at the Point of the Bayonet. I think that their comrades will be more unwilling to come over now.

My love to my Dear Mother Brothers & Sisters if you please

(Askin Papers, Burton Historical Library, Detroit)

Poetical Account of the American Campaigns of 1812 and 1813, printed at Halifax in 1815 by John Howe Junior[a] has become a very rare book. Its dedication to "the People of Canada" is subscribed "An Acadian." It contains the following versified account of the battle at Queenston

"But soon the veteran band these wilds forsake
And speed their way down bright Erie's lake
For there another army brav'd the shore,
That in conjunction, might have turned before
But these rare Generals every one are free
Go where they like not where they ought to be

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[a] Probably a brother of Hon. Joseph Howe.

Over Niagara's flood this chose to go
Where he expected but a slender foe
Two moons had fill'd their horns while slow he paused.
Canada's infant, what some terror caused,
They were deceived, thinking her baby frame
Would fall with fear—e'en at a Yankee's name
But finding more mature, her nerves and strength
Cautious he strove—then on advanced at length
To where the narrows separate the opposing shore
And they could see that nothing stood before
Brock was not there—they were in perfect plight
To land and take the little town that night
Their chief Van Rensselaer—a rugged name
In story large and lengthy as his fame
Why fam'd I hear you say? ay! why indeed
Except for merit to obtain the meed.
Long ere so beautiful a wreath was due
Or thee, as wreaths are scarce to stem a few
Be as it may—he cross'd at dead of night
When the young moon show'd all her borrow'd light
Before they left the shore a deep blood red
Glow'd o'er her face with streaks of darkness spread
Thus pensively she cast a feeble light
O'er a long field with falchions gleaming bright
There the invaders stood and heard around
On every side the cataract's mighty sound
They paused and listen'd not from any fear
'Twas but the cataract—not drums they hear
And on the General led his phalanx strong
Like midnight murder mov'd he slow along

But as they gain'd the border of the flood,
Somewhat refractory his army stood,
All would not cross, intreaties, threats were vain,
Down on the rocks they sit—and there remain
To learn what fortune those advancing found,
And glorious victory their efforts crown'd.
Another trick eked out their delay
Fifteen longboats, with oars, had gone astray
But this they remedy, then ply the oar
And reach Canada's silent sleeping shore.

The watchful sentinel the town alarms
Quick the responsive drummer beat to arms.
Canada's General—like a ray of light
A splendid meteor on the brown of night
Advanced along, ere day began to dawn
Or from his lair had sprung the sleeping fawn

Surpris'd the foe beheld him form his band,
And on the margin of the river stand
No power was left to fly—for on the shore
One half were landing—and the rest were o'er
Near where the whirlpool agitates the flood,
Frowning with scorn the British heroes stood,
And on the foe's advance their volleys pour
Tinging with blood the till then hallow'd shore
Yet on the invaders came tho' Brock withstood
Their force with bayonets deep dy'd in blood
The treble number'd foe push'd on with zeal,
And made Broth's bright and glittering rampart reel
And now torrents—whilst carnage mark'd the strand
And drench'd with blood Canada's hallow'd land
Conceive a patriot breast with ardor fir'd
His firm [illegible] with energy inspir'd
A Briton panting for his country's fame
Anxious to strengthen her renowned name
Yet here in bondage held, in galling chains
A mere spectator of the scene remains
Where hated enemies with pride rejoice
And rage must smother the resentful voice

How in the conflict did his heart rebound,
How trembl'd at the shouts that rang around,
'Till victory to her son the laurel bore
To Brock the hero of Niagara's shore
Who made the fury of the battle's bray
Out roar the cataract's restless sway
A pause ensued the voice of war was still
The victor's trump was silent on the hill,
When slow and solemn came the heavy sound
That Brock was struggling with a mortal wound
The field he kept—not till his foes had fled,
Then smiling death's cold mantle round him spread
The ground that just before wept blood for tears
Now wet with sorrow's drops forlorn appears
The Indians laid their warlike belts aside
Their strings of wampum—and their martial pride
Near the pale corse their varied trophies lay
To tell their strength and pride had pass'd away
Silent they stood and gaz'd upon the bier
But heav'd no sigh, nor dropp'd one friendly tear
Renowned Chief—joy rest with thy remains,
Virtue's bright current fill'd thy manly veins

Where could more glory dignify his name,
Engrave him deeper on the list of fame

[illegible]
[illegible]
In [illegible] his [illegible]
And her escutcheon glitters [illegible]

Say gallant shade on thy last [illegible]
In sacred drops and you rough [illegible]
Say could thy pillow be more grand and dread
Or more sublime thy winding sheet be spread?
Than there where nature all her powers combines
To grace a canopy where [illegible]
Niagara's shore whose far resounding flood,
Tinges its foam with thy respected blood
Whose hurried waters and waves sublime
Laughs at the figure of [illegible]
Where Iris weeps—and spreads her polished bow
Bedew'd with tears that to thy memory flow

Brock's mausoleum distant worlds shall tell
And paint Niagara where the hero fell
[illegible] flood—when [illegible]
Thou wilt relate the tragic story o'er
And show that grave, beside his on the hill
Where brave Macdonald holds his station still
[illegible]—in fortune [illegible] they sped
So side, by side are laid the heroes dead."

"October 1812." Pp. 23 27

A memorial from Major James Dennis, prepared by him at the end of the war contains considerable information respecting the battle of Queenston and other operations in which he was engaged [illegible] to be found elsewhere.

His Honour Lieutenant General Sir Gordon Drummond Knight Commander of the Most Honourable Military Order of the Bath President Administering the Government of Upper Canada, &c &c &c

The Memorial of Brevet Major James Dennis 49th Regiment Major of Brigade to the Forces Quebec

20th March 1815

SHEWETH

That your Memorialist conceiving that a statement of his services in the Canadas & more particularly in Upper Canada might be deemed deserving Your Honors consideration, as well as that of the Honourable the Council of that Province

Humbly entreats your benevolent interest in his prayer and your recommendation that he may Obtain a grant of Land as a gratuity for the same—

Your Memorialist humbly states that he has served nearly Thirteen Years in both Canadas between four and five years of which period he served in the upper Province and nearly Two years and Six Months of the latter period, in a scene of Active and harassing Warfare and at a crisis of the late War very important to the interests of that Country particularly when its very salvation was menaced by the attempts of the Enemy (which under the Direction of Divine Providence were defeated) on the 13th October 1812.

That your Memorialist had the honor to Command the Post of Queenston for some weeks before at the actual period when and for some time after it was attacked by General Van Rancelar and the Americans, numerically triple in force, by the firmness Zeal and intrepidity of a few Royal and Militia Artillery, the Flankers of the 49th Regiment, aided by the Gallantry and Devotion of Captains Hatts, Chisholms & Durands Companies of Militia, who rivalled the regulars in good conduct had the good fortune to maintain his position in spite of every effort essayed by an overwhelming force of the Enemy and previous to the arrival of the ever to be regretted Major General Sir Isaac Brock who (on the ground) was pleased to applaud Memorialists arrangement for the Defence and the conduct of the Troops in repelling the attack and Maintaining the Post of Queenston to a few moments before his lamented fate Major General Sir Isaack Brock was unaccompanied on his first arrival having dispatched his Aide de Camps to Hurry on the reinforcements which could be spared from Fort George and who afterwards (combined with those remaining of Mem'lists Command) for Mem'list again succeeded to it after our beloved general fell) and also by the intrepid conduct of the increased Number of Militia with the Indians Achieved in the after part of the day a glorious Victory the firm foundation for which was laid by the panic struck in the Enemy by nearly four hours constant and severe fighting against their superior Numbers from a quarter before four o'Clock on that memorable morning when the Troops under your Memorialists command destroyed between 300 and 400 of the Enemy took and sunk five large Batteaux and a large scow (called the Wasp of Oswego) and also took 97 Prisoners all before an Individual served to their Assistance and Memorialist presumes to be thus minute in detailing the Services of the Troops under his Command on that day that he may do them the Justice they deserve and that recapitulating their Efforts under your

Memorialists direction may be considered as an Humble plea for attention to the Object of his prayer[*]

Memorialist had also the honor of being in the Actions of Newark on the 27th of May and in that of Stoney Creek the 6th June following (1813) in each of which he had a horse shot under him, and Memorialist further had the honor of serving in several skirmishes with the Enemy while holding a command at the Cross roads on the position circumscribing the enemy when in possession of Fort George, particularly one Sunday when field officer on duty he rallied the troops and indians retiring from the position of the advanced picquet which a superior force of the American Indians and rifle men had obtained the possession of and with charged bayonets routed the enemy and reoccupied an Advanced position. Memorialist had also the good fortune to repell a Second attack in the Ev'g of the same day which the enemy made on our Picquets (with about 600 Indians & rifle men) for the purpose of inforcing a reconnaissance of our position at the Cross roads. Memorialist had the honor to receive Major General Stewart's (then Col Stewart of the 1st Royals) thanks in the presence of Major General De Rottenburgh, Major General Vincent and Lt Colonel Harvey, Dy Adjutant General for the performance of his duty on that Sunday, (Col. Stewart then Comd'g the Post) Your Memorialist during his services in the Country has commanded at the following Posts, at St Johns & Dependencies (lower Canada) York for a short period during the absence of Lt Col Sheaffe Fort Erie 15 months (during peace) Fort George Queenston Chippawa, St Davids 20 Mile Creek the latter Command the advance of the Centre Division by order of Major General Vincent at the recommendation of Lt Col. Harvey Dy Adjt. General.

Memorialist also commanded a corps of observation at Cornwall the Stores at which Post with 12 Batteaux laden with provisions & Stores for Kingston he was fortunate in withdrawing from the plunder of the force under the Command of the American Genl. Wilkinson when he descended the St Lawrence in Nov 1813. Memorialist with an Unorganized, ill found though high spirited and gallant Militia, about 300 in Number took up a position (having destroyed the Bridge) near Hooples Creek in advance of Cornwall, and engaged & for an hour and a half kept in check

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[*] A sketch of the battle of Queenston, made by Major Dennis was reproduced in Volume VI of the "Papers and Records" of the Ontario Historical Society p. 76 redrawn, it is stated, from a vignette on a small map of Upper Canada published by O. G. Steele, No. 201 Main Street, Buffalo N.Y., in 1839.

(the day before the Battle of Chryslers) the advance Column General Wilkinsons Force thereby as he has since been informed by American Officers & (vide a reference to Genl. Wilkinsons dispatch [illegible]) preventing General Wilkinson from sending assistance from his centre Column where he was himself—to reinforce the troops engaged next day with our Army at Chryslers as he was uncertain at which Point assistance Might be More Necessary—Memorialist although having but one Sergt and Private of his Own Regt and whom he was obliged to give up to the security of the Ammunition continued to Shew a fire from the different parts of the bush along the creek and created temporary respect from the enemy by a fallacious display of force that produced slowness in his advance altho Amounting (at that Creek) to 1500 Inf'y & 200 dragoons with 3 Field Pieces which placing in position they attempted to dislodge us whenever fire was given and which after discovering the finesse they in course, succeeded in, it becoming an unwarrantable temerity to continue a contest on such unequal terms and which could only terminate with capture and slaughter of the peasantry of the Country, without Effecting any profitable end; a Night march of this same body of Militia in a few days after (Combined with the approach of our troops after the Victory won at Chryslers) induced the precipitate departure of the whole American Force from Our territory

Memorialist trusts the faithful display of his services will not induce the reflection that he is wanting in that modesty so commendable in the Military character that it is a base effort to strengthen the picture for the sole faultless purpose of gaining attention towards his prayer and memorialist trusts it will not diminish his claim to express that the gentlemen and peasantry on the Niagara Frontier as well as those of Glengary & Dundas will bear sufficient testimony to the veracity of the particular services herein stated

Memorialist humbly adds that during his services in Upper Canada he was twice wounded once at Queenston and again at Stoney Creek and never was an hour absent from his duties whilst serving for nearly 13 years in the Canadas

This statement taken into your honours gracious consideration and obtaining your recommendation for the grant of land solicited being bestowed will impress with strong feelings of gratitude Your Memorialist & devoted Obedient

& faithful

Humble Servant

J Dennis B Major 49th Regt.

Brigade Major to the Forces.

(Sundries Upper Canada 1815)

Afterwards Major-General Sir James Dennis, K.C.B.

Expectations of an immediate renewal of hostilities caused an urgent call for reinforcements to the militia on active duty. This was embodied in a letter from Lieutenant Colonel Thomas Clark to Charles Askin.

Chippawa, Octr 23d, 1812.

Sir

The company of militia of Canberry & lower Haldimand of which you are captain being attached to the 2nd Lincoln Regiment under my command I have now to order that you immediately march down here every man under your command as quick as possible. On their arrival here they will receive arms and ammunition.

(Dominion Archives, Askin Papers)

A letter from General Sheaffe to the Military Secretary shows that the exchange of officers was productive of some information of considerable importance.

Fort George 25th Octr 1812.

Sir

I transmit herewith some intelligence recently obtained. That from Lieutenant Rolette is interesting as it relates to the designs of the enemy on our vessels on the lakes and the means for executing them. L. Colonel Myers sends to Colonel MacDonell Lieutenant Rolette's report of the capture of the Detroit and other information relative to the Marine Department.

(Dominion Archives C. 677 p. 143)

As soon as the death of General Brock became known at York the resident members of the Executive Council were hastily assembled and the clerk was instructed to inform General Sheaffe that in succeeding him in the military command he had also become administrator of the civil affairs of the province. This was done in a letter from Mr John Small in the following terms:

"As soon as intelligence was received of the death of the late President General Brock the Executive Council assembled on the summons of the Chief Justice and I am directed to transmit to you Sir as succeeding to the command of His Majesty's Forces in this Province the enclosed copy of the additional royal instructions of 13th July 1812 and to apprise you that the civil government must remain unprovided until you are sworn a member of the Executive Council."

(Dominion Archives, C. 688 B, p. 129)

The opportune extension of the armistice enabled Sheaffe to comply with very little delay. He announced this fact in a letter to Sir George Prevost, dated at Fort George on October 19:

"After writing my despatch of yesterday I received a proposition from Brigadier Gen'l Smyth, commanding on the United States frontier, for prolonging the armistice indefinitely, either party having a right to terminate it, giving thirty hours notice to the other party, to which I have acceded, as it corresponds with the system adopted on our part, and removes the obstacle of my going over to York—the wind has not permitted the departure of the second (and last) division of the Prisoners—but it seems now inclined to be favorable for it, and they are embarking in the Moira and Simcoe to proceed for Kingston. Lt. Colonel Myers reports on the subject to Colonel McDonell.[1]

"I am informed that Captain Loring[2] of the 104th Regiment (late Lt. of the 49th) has arrived at Montreal. I shall feel much obliged to Your Excellency to permit his joining me, as he came out with the expectation of being appointed my Aide de Camp. If my request cannot be granted, I beg leave to recommend him to Your Excellency as well qualified for the staff appointment suitable to his rank should there be a vacancy.

"I this moment learn that the Prince Regent is coming in—I shall embark in her without delay and proceed to York, and as I intend sending this despatch from thence by land, I shall close it there."

—(Sheaffe's Letter Book)

Sheaffe wrote again to Prevost next day from York:

"I arrived here last night and found the Moira and Simcoe here, the wind having forced them to put in.

"The Executive Council assembled to-day, and I was sworn in as a Member of it and afterwards as President, which I have communicated to Earl Bathurst in a despatch that accompanies.[3]

"The Vessel that was supposed to be the P[rince] R[egent] proved to be the Royal George, in which I came over. That ship has taken on board the Prisoners that had been sent to this place and, with the Moira and Simcoe, has just sailed for Kingston. The P[rince] R[egent] arrived here this evening and I shall return to Fort George in that vessel to-morrow."

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[1] Colonel Edward Macdonell, Quartermaster-General.

[2] Captain Robert Roberts Loring, who afterwards became A.D.C. to Sir Gordon Drummond and was taken prisoner at Lundy's Lane.

[3] Printed in "The Documentary History of the Campaign on the Niagara Frontier in 1812," Part II, pp. 142-143.

(Sheaffe's Letter-Book)

Early in November 1812 by the advice of the Executive Council, a board of magistrates was appointed by the President to examine persons claiming exemption from military service as citizens of the United States and consequently liable to deportation as alien enemies, consisting of the Honourable William Claus, Thomas Dickson, and Joseph Edwards, to whom the following instructions were issued.

"Instructions from His Honor to the Board appointed at Niagara, for the examination of persons residing in the Niagara, London and Western Districts who claim exemption from military service as being subjects of the United States.

"Having thought proper in conformity with the advice of the Executive Council to constitute you or any two of you to be a Board at Niagara to receive and decide upon the pretensions of persons in the Niagara, London and Western Districts, who claim exemption from military service as being subjects of the United States; you will therefore receive all such applications and being satisfied that the persons applying are subjects of the United States you will furnish them with passports to cross the line at such place and in such manner as you may find expedient to direct. Should however instances occur in which it may appear to you that very serious inconvenience may arise to such persons being settled and having families in the country who have not received lands from the Crown or taken the oath of allegiance you may report the same to me especially with your opinion as to the terms of a modified allegiance as security for good conduct on which they may be permitted to remain.

"Roger Hale Sheaffe, President."

A form of passport was appended.

The bearer of this (person's name at full length) late resident in (name of District &c.) having reported himself to us as a subject of the United States and we being satisfied that he is so, do hereby grant him this passport that he may be passed over to from and quit this Province on or before the day of

"Given under our hands at this day of

"N.B. A description of the person to whom the passport is given to be inserted at the foot or on the back thereof. The amount to be returned to the Board after it has been employed for the purpose for which it was granted."

(Dominion Archives. C. 688 B pp. 155-6)

A letter from Alexander Hamilton, afterwards Sheriff of the Niagara district for many years, to Charles Askin, contains a sarcastic reference to the short-lived newspaper published at Niagara after the demise of the "Guardian."

10 Nov., 1812.

Dear Charles,

Your note by Matthew Crooks came to hand yesterday morning but owing to my con[founde]d memory I did not send it with him. I now enclose you a Bee of the 31st Oct., which is the last we have, that of last week partaking too deeply of the cup, got drunk and died. I also send you a ten dollar association note.[2] Should you want more I can supply you very well being at present pretty flush. The Moira, Simcoe and Murney's sloop came in the other day loaded with cloathes for the militia[3] and goods for individuals. There is nothing new by them. It is said they were to be sent back immediately to Kingston for 2 more companies of the 49th and 1 of the Newfoundland company which would be a great addition to our strength. They are so dilatory that the country might be taken & retaken two or three times before they would get back again.

(Dominion Archives, Askin Papers)

The armistice was terminated by a letter from General Smyth at Buffalo, stating that it would end at nine o'clock on the evening of November 20. This notice was given to the commandant at Fort Erie in the forenoon of November 19, instead of being sent to General Sheaffe at Fort George yet it was delivered to him at half past eight that evening. Next day Alexander Hamilton wrote to Charles Askin at Chippawa.

Nia[gara] 20 Nov. 1812.

My dear Charles,

Yours of this morning by Mr. Nellet has this moment come to hand. Respecting the notice given us of the termination of the armistice it is certainly the case tho I wonder you don't know it as it came from Fort Erie. Col. Clark does not seem to know it either which seems rather strange. We understand we are to open every battery upon them at this place the moment the truce is over. The whole country is in requisition at present drawing charcoal for to heat the shot. The plan is said to be to open every gun, shells, mortars, carcasses, &c., &c., and continue the business until we get their fort in a blaze which if it should succeed which will be the means of throwing all their works which are fire proof open to our view. Hamilton Merritt leaves this for Detroit with despatches and money for that place. I have just called at Dr Kerr's for your salts but he has none and does not think there are any in town. Heron's and Baldwin's are the only shops now open. I enclose you two ten dollar notes. As I do not just now want them they may be as well with you as me. I am happy to hear that the boards &c are mostly down and would be still happier to hear they were well sold. Everybody here are now busy sending off their furniture &c as it is generally believed we shall have it very hot and probably all a flame. I will endeavor to find some salts for you and salve before Mr Nelles returns. Adieu perhaps forever in this world.

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[2] Probably issued by the Niagara and Queenston Association of Merchants formed to support the credit of the provincial government.

[3] Purchased at Montreal by Lieut.-Colonel Nichol, Quartermaster General of Militia. Cf. Sheaffe to Prevost, 8 Nov., 1812, in Documentary History Vol. IV p. 186.

(Dominion Archives, Askin Papers)

Later in the day Charles Askin wrote in much the same mood.

Chippawa, Nov 20th, 1812

Dear Father

We have notice from the other side that the armistice terminates at 9 o'clock to-night. We doubted it at first but now there is no doubt of it and we expect an attack before to-morrow morning. I have given Elizabeth Meredith a [illegible] mixture and some other things (that came from Archange) to Mrs Macklem of this place to take care of. They are sealed and addressed to you. There is also some papers addressed in the same manner. I send up in a waggon a keg of snuff for my dear mother which she will give part of to my poor uncle & aunt Barthe. I shall also send up a few yds of bombazet for my aunt and a keg of butter for my mother which I hope will get to Fort Erie in time to go up in the Lady Prevost. As we are all preparing to meet the enemy I have not time to say more. Please to give my kind love to my dear mother, to James, to Alexr, my sisters and all my relations & friends.

(Dominion Archives, Askin Papers)

With this letter went another longer one begun two days earlier and completed the same day.

Chippawa, 18th Nov., 1812

Dear Father—

Three days ago I wrote to you but did not find an opportunity, until to-day that I saw Capt Hall of sending the letter the Lady Prevost now laying at Fort Erie will sail from that with the first fair wind. I will endeavor to send up 12 lbs. Tea, which a man has gone to Queenston for to-day that it may be up in time for the Vessel the snuff and Keg of butter if in my power shall go at the same time—but as I have been disappointed in getting the butter which I long since spoke for, I may perhaps not be able to send up the Keg, for being stationed here with my company of Militia I cannot leave this to go where I could get it. I am also prevented from sending something to my Uncle Bathe for I cannot get such things as I would wish to send him here, for being in daily expectation of an attack, the Merchants have packed up most of their goods.

On Friday last an attempt was made by the Americans to take the Royal George then laying at the Ducks near Kingston alone, the Oneida, a Vessel of equal force and four others were employed for this purpose, but fortunately for us they failed in the attempt we lost one man killed and three wounded the Royal George cut her Cable and made for Kingston. The Simcoe was there on her way down and was chased, but luckily got safe into Kingston. The Earl Moira was also on her way down but not in company with the Simcoe nothing has been heard of her but as she left York the day after the Simcoe she had not time to have got to Kingston when the express left. The American Vessels are better manned I believe than ours on Lake Ontario, and I am afraid unless some British Tars are sent for the enemy will make themselves masters of it. I was told that Capt Hall had made application to go for seamen to Quebec but was refused. One of the inhabitants of this District who has been ever since the war on the other side made his escape a few days ago and came over near Queenston in a Boat he says the Militia have left the lines but that the enemy have about seven thousand regulars between Niagara & Buffalo. I do not think they have so many and if they have we have six thousand to oppose them and their regulars are not near so well disciplined as our flankers. Clothing has lately come for the Militia, the Flank Companies get 1 pr pantaloons each 1 pr shoes or two pr. Shoe packs & 1 Jacket. Shirts and stockings are provided for them. For 3 yds. of flannel and thread to make it they have to pay 3/6 N.Y.C. and the stockings which are very good, cost them 4/4 apc Yk. every militiaman is to have a blanket but they are to be returned.

James Hamilton who is stationed with Robert about one mile from this, sent down to Queenston to-day for Elizabeth Meredith's miniature picture which he brought out with him and left in his trunk there. I shall try and send it up to you by Ensign Kerr who appears to be a very careful young man, and who has promised to take charge of it.

I have lately seen General Hull's official Dispatch to his Government respecting the surrender of Detroit, it is well wrote and more correct than I should have expected it; although I dare say Mr Brush will swear there is not a word of truth in it when he sees it. I see in the same paper that Col. Miller, who was taken at Detroit, is exchanged for Capt. Dacres of the Guerriere. I am very sorry I have not been able to get the paper to send it to you. I have wrote to Alex. Hamilton to send me from Niagara any papers he can get and expect some from him to-morrow which you shall have if they come. I will beg some from Mr Clark for you also. I gave you all the news in the letter I wrote you three days ago as I mean this shall go by land and may perhaps come to hand first. I shall just mention the most interesting things. Lord Wellington in several engagements with the French had always been victorious and had destroyed the whole of Marmont's Army. Marmont himself had lost his Arm and afterwards died. the French lost immense numbers. Lord Wellington in one of the battles had got a slight wound with a Sabre. He entered Madrid I think some time in August. Joseph Bonaparte had made his escape but had not got out of Spain we have had reports of his being since taken with the last of his followers about 7000 men but this I hardly believe, yet know that as we were masters of the North of Spain he stands a poor chance of getting clear. The French have been beat also in some encounters with the Russians and have lost three or four thousand men this is all I now recollect except that it's said that Sir John Borlase Warren is sent out as Ambassador and is now at Washington we shall soon know if he is or not.

Nov 20. Yesterday we had information here that the Armistice would terminate at 9 o'clock to-night but we are not certain of it. I send now to Fort Erie 7½ half yds Bombazet done up in a small bundle covered with Sheeting and addressed to you this I will thank you to give to my Aunt Barthe with my love.

Please give my love to my Dear Mother my Brothers & Sisters & respects to my Uncle Barth.

(Burton Historical Collection, Askin Papers)

When the privations and sufferings of the militia stationed on the Niagara became known at York the sympathy of the inhabitants was aroused and a meeting was called which resulted in the formation of the "Loyal and Patriotic Society," soon after for their aid and relief. The Reverend John Strachan, who took a leading part in its organization, wrote immediately on the subject to his former pupil John Beverley Robinson, who was still on duty with his flank company of the Third York regiment.

My dear John, Nov. 22, 1812

In consequence of a hint in the letters of Mr. G. Ridout and Mr. Robert Stanton to their respective fathers the gentlemen of York met to-day in the church for the purpose of subscribing towards the comforts of the militia belonging to this district on actual service especially the flank companies.

Our subscription though not yet paid amounts to £150 and we wish your and Captain Heward's advice how to dispose of it for the most advantage of the men. Your brother Captain [Peter] Robinson thinks that the captains of the York militia should make a requisition upon the Quartermaster General for flannel sufficient to make two shirts for every man that wants them and thread &c. to make them up, together with a pair of stockings for each and we will supply the captains with the amount. If there is any difficulty in making them up we can get it done here instantly. The militia will be much pleased when they know with what alacrity the subscription proceeded.

To Lieut. John B. Robinson, Brown's Point by Niagara.

The appearance of a dominating hostile squadron of ships on Lake Ontario in November caused serious alarm. An emergency meeting of the Executive Council was held to discuss the situation. It was clearly seen that the safety of the seat of government as well as the Niagara Peninsula and the western part of the Province was dependent upon the maintenance of naval superiority on that lake. An address to General Sheaffe on the subject was adopted unanimously and signed by the Chief Justice as chairman.

"We trust that Your Honour will believe that the following observations proceed from the purest motives which we as a Committee of the Executive Council do now submit to your consideration.

"We rejoice with our fellow subjects at the success which has hitherto attended His Majesty's arms, but while reflecting with pleasure on the past we cannot conceal our anxiety for the future.

"By land our success has exceeded our hopes, not so as our warfare on the lakes. Whether this is to be attributed to inferiority of strength on our part, to accident which the wisest and bravest can neither foresee nor prevent, or to the inexperience of our naval commanders, we presume not even to hint at an opinion.

"But altho' our hopes have in some instances been disappointed nothing has as yet taken place to lead us to despair, much to excite our active exertions. If faith is to be given to report and that not slightly founded our enemies are using every effort to strengthen their marine on the lakes. At this moment it is said they are building a vessel superior in force to any that has yet appeared on Lake Ontario. The consequences that will necessarily follow from the command of the lakes being in the power of the United States would be distressing in the extreme to this province.

"We speak from the strongest conviction, we believe it would be fatal.

"But it is the farthest from our thoughts officiously to interfere with such measures as may be deemed expedient by those entrusted with command. We only as subjects and as men who have everything that is valuable and dear to them at stake offer our feeble aid by stating with the greatest deference and respect to Your Honour as President of that Board to which we belong our unanimous and solemn opinion, that to strengthen our marine on the lakes is absolutely necessary under existing circumstances for the defence and preservation of this Province.

Novr. 17th, 1812. Thomas Scott, Chairman."

(Dominion Archives, C. 728 pp. 113-4)

This address was sent at once to General Sheaffe who replied a week later from his headquarters at Fort George where his attention was engaged by the recent resumption of active hostilities.

"Your address is before me. The subject of it is of vital importance to this Province. It has therefore an imperious claim to the attention of those who are guardians of the public welfare. As such in making this representation you have performed one of the most essential duties which your public character imposes on you.

"The state of our Provincial Marine and the necessity for its improvement and augmentation are known to his Excellency the Commander of the Forces and have been the subject of communication to His Majesty's Ministers to whom it has been recommended to employ officers and seamen of the Royal Navy on the lakes, and as it has become evident that immediate exertions are necessary without waiting for distant aid, I have no doubt that every effort will be made without delay to bring forward the resources which the British Provinces can furnish for counteracting the exertions and designs of the enemy, in aid of which I am endeavoring to collect information from every part of this Province of persons who can be procured to assist in building or navigating vessels and of the materials and stores that can be furnished for their construction and equipment.

"You truly observe Gentlemen, that nothing has yet taken place to lead us to despair. We have hitherto waged a successful war and with means that might have been justly deemed inadequate to the task which they accomplished. Providence has been on our side. Let us look with humble confidence to its continued aid. I transmit to His Excellency the Governor in Chief a copy of your address."[3]

(Dominion Archives Sundries Upper Canada 1812)

Sir George Prevost had already given the subject serious attention as Sheaffe knew but his means were limited and he was dependent mainly on assistance from distant sources.

On the first day of January 1813, he replied from Quebec in as satisfying terms as he felt justified in employing to Sheaffe's appeal.

"I have received your letter of the 16th of last month containing a report of Captain Gray's arrival at Fort George and Lieutenant Colonel Myers being detained there by indisposition.[4] My despatches to you of the 23rd November and of the 15th and 27th December will have made you acquainted with the resources I have been enabled to draw from Lower Canada for aiding in the execution of the plan which is proposed for the improvement of the Marine establishment in Upper Canada to such an extent as shall at least raise it to an equality with the enemy. By a reference to them you will perceive that I was duly sensible that assistance of an essential kind was to be drawn only from a source over which I am without control, and in consequence early application was made from me to the Government and the Admiral in command of the ships on the American station. I have every reason to believe our wants will be attended to from both quarters, and with a promptitude calculated to add vigor to the exertions we are making for the preservation of the Province entrusted to your immediate defence. I agree with you in opinion that the construction of gunboats must become a secondary consideration. The general sketch of the plan proposed to be submitted to me by Lieutenant Colonel Myers respecting the increased establishment of the navy did not accompany the letter in which it is mentioned, but as you are armed with such full authority on that subject I trust nothing impedes its progress. The arrival of Mr Fluckett[5] with one hundred and twenty ship carpenters and thirty seamen at Kingston, the departure under proper escorte of one hundred sledges laden with marine and ordnance stores from Montreal for Upper Canada, the assurance of receiving marine supplies from Halifax as early in the year as possible together with a proportion of naval officers and seamen, all these circumstances will convince the gentlemen of your Executive Council that I am duly impressed with the necessity of strengthening our naval force on the lakes and at the same time as they are made acquainted by you with the measures in operation for their support you may assure your Council that I will fail in nothing that is within my ability for seconding their loyal and gallant disposition to defend and preserve entire the valuable province of Upper Canada.

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[3] See his letter to Sir George Prevost, 23rd Nov. 1812, in Documentary History 1812, Part II, pp. 229-230.

"Mr Freer[6] will have made known to you the preparations which are making for the comfortable clothing of your militia. I regret that the total want of scarlet cloth has compelled me to consent to green being made use of for the

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Myers and Gray were the officers of the Quartermaster General's Department who were then employed in superintending the construction of ships of war on Lakes Erie and Ontario.

[5] Thomas J. Fluckett, appointed storekeeper and superintendent of the dockyard at Kingston.

[6] His military secretary.

purpose. When the militia are clothed and paid, the laws under which they were incorporated ought to be sufficient to enable you to establish for their government a system of discipline which may render that force very efficient against an American army.

"I shall be glad to hear the result of your enquiry respecting Captain King[1] but without some decisive proof shall be brought against him to establish his being a British subject you will of course release him agreeably to the convention entered into between General Dearborn and myself for an exchange of prisoners, a copy of which I have directed Mr. Freer to furnish to you.

"Since writing the above I have seen General Smyth's official account of the late attempt to invade Upper Canada[2] and Mr. Porter's comments upon it.[3] From my perusal of them my apprehensions for the safety of the province are considerably diminished. Such a force cannot be considered as formidable and the force opposed to you as well as the officers commanding it are by their own confession of such a description as cannot but inspire you with the fullest confidence as to the result of any future attempt they may make against you.

"Mr. Dickson[4] whose influence among the Western Indians is very extensive, has lately made a proposal to me for a co-operation with them for the defence of Upper Canada. I have submitted the same to a board at Montreal of which Major General de Rottenburg is the head and I have reason to think I shall despatch Mr. Dickson to you for the purpose of accomplishing this object."

(Dominion Archives, C. 1220, pp. 82-84.)

Freer's letter to Sheaffe, dated at Quebec next day, read:

"I avail myself of the departure of Lieutenant Colonel Bruyeres to Upper Canada to enclose to you an extract of a letter which has been written by His Excellency's orders to the Commissary General authorizing certain supplies to be provided for the militia of Upper Canada and it will be satisfactory for you to be informed that measures have been adopted for complying with that requisition and there is reas on to believe that the several articles will be in readiness to be forwarded to you at the period stated at the opening of navigation in the spring.

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[1] Captain William King of the United States army, taken prisoner at Frenchman's Creek.

[2] See Documentary History, 1812, Part II, pp. 287-291.

[3] Ibid., pp. 303-308.

[4] Robert Dickson, the noted trader among the Indians of the Northwest, a brother of William Dickson of Niagara and Thomas Dickson of Queenston.

"The clothing which has been approved of by His Excellency for the militia of Upper Canada consists of green jackets red cuff and collar and whitelown blue gunmouth trowsers and felt regulation cap."

(Dominion Archives, C 1220, pp. 84-85.)

The resumption of hostilities had demonstrated the imprudence of permitting the departure of enemy aliens who might give useful information and Captain Loring addressed a letter on the subject to Colonel Claus and the other commissioners appointed for their examination.

"Gentlemen:

"I am directed by His Honor Major General Sheaffe to communicate to you his wish, for your assembling on some early day for the purpose for which you have been appointed. But as circumstances have so much changed since the date of the Proclamation under which you have been instructed to act, that the public safety may be endangered by granting Passports to the extent which was then contemplated, His Honor desires that you will report for his consideration, the cases of all claimants of Passports, and that you will suspend the granting any, until he shall have decided thereon."

When cold weather set in desertion to their homes by the militia on the frontier increased to an alarming extent and active measures were taken to bring them back. Captain Charles Askin addressed the following letter to his Lieutenant, Christian McDonnell, who was then apparently on leave at his own home in Haldimand.

"On the receipt of this you will immediately go with Wm Kerr & Alex Lymburner and with them take every deserter from my company in your neighborhood. David Merritt's pass will be out when you receive this and Minor Chambers's also. You will get them to assist if necessary. If not you must tell them to return immediately. You will inquire if Kerr's family are sick or not. He and Lymburner can bring three or even more prisoners. You will hasten down here for you are wanted very much. I shall expect you on Monday next. You will pass through Canborough on your way to this and assist Mr. Canby in taking and having some deserters now at that place sent down.

"Near Chippawa Decr 4th, 1812.

(Dominion Archives, Askin Papers)

General Sheaffe described the situation as he appreciated it in a letter to Sir George Prevost dated at Fort George on December 9.

"I have to apologize to Your Excellency for the omission of intelligence from Colonel Procter when I despatched my letter of the 4th inst.[*] in which it was referred to. I now have the honor of transmitting it. Appearances on the other side agree with the accounts we have lately received. There are few men to be seen. The weather is mild for the season, but as yet there is but little snow.

The desertion of our Militia has increased since the beginning of the month, but I expect the voluntary return of many. I hope that the rigor of the season and the state of the River will soon permit my authorizing at least for a time the absence of a large portion of the Militia. When a bridge of ice shall be formed between us and the enemy it will require all the force we can muster to afford a chance of maintaining our position, and indeed the whole will probably be inadequate to the task of preventing occasional predatory incursions. Some days ago a twenty four pounder (from Detroit) that had been remounted on one of the Batteries opposite to Black Rock burst, but fortunately did no other mischief than wounding Captain Kerby slightly in the hand. The Gun has been replaced by an 18 pounder. A vessel having the appearance of one of the Enemy's gun boats was seen yesterday morning about 10 or 12 miles to the Eastward, near the American shore. A bitter north west wind was blowing last night and still continues. She has probably run back to Sacket's Harbour.

"The weather has not permitted a communication by water with York since the 21st of November, and it is now deemed prudent to lay up the Prince Regent there. Colonel Vincent has adopted the same opinion respecting the Royal George and Moira at Kingston, that it would be attended with too much hazard to allow them to sail; he therefore proposes laying them up there, in which he does not foresee any disadvantage. There will at least be some inconvenience in their being separated from the naval depot, and they run more risk from the Enemy at Kingston. I shall impress on Colonel Vincent the necessity for taking every precaution for their security."

(Sheaffe's Letter-Book)

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[*] See Documentary History of the Campaign on the Niagara Frontier in 1812, Part II, p. 274

Charles Askin continued to write to his father at intervals giving him fairly full information of recent events.

"Mountain near Queenston Dec. 11th, 1812.

"Dear Father:

Your affectionate favour of the 28th Ulto. came to hand the night before last. I am surprised to find by it that very few of the letters I have wrote you since I have been down here have reached you, the one giving an account of the Battle of Queenston went up in the Lady Prevost with some others and some newspapers and I fancy you must have got them before this. John & William Robertson were both in the Battle and newspapers and I fancy you must have got them before this. John & William Robertson were both in the Battle and distinguished themselves. William particularly who behaved as gallantly as any one engaged that day. Robt. Hamilton & Alexr. were in it also but only in the afternoon and Alex. could not take an active part in it, for he could not ride nor hardly walk on account of boils, therefore remained or went with Capt. Holcroft who was cannonading the enemy when crossing the River. I had been laying confined to my bed three days before the action with boils and so ill with them that part of the time I could not even sit up in bed to eat my Victuals. I was at George Hamilton's when the attack was made and had to get off as well as I could. I remained a short time in Queenston but finding the enemy were getting the better of us I went away to avoid being taken prisoner. an account of the battle is in one of the newspapers I sent you therefore shall defer saying anything more about it at present. Soon after an armistice was concluded which did not terminate until the 19th Ult. Our Batteries at Fort George the day after the termination opened on Fort Niagara and a cannonade was kept up all day. some houses were burnt on the other side & about as many at Navy Hall. we lost two men Capt. Fry a half pay Officer and a Soldier of the 49th Regt. and I believe the enemy lost but few. Some shots were fired from Queenston over to Lewiston but not returned. from that day we were quiet enough except now and then a false alarm until the 28th Ult. when 500 of the Enemy came over from Black Rock and landed near the Ferry below Fort Erie about 1 o'Clock in the morning most of them unobserved. they fired on our men at the Batteries who had only time to spike the Cannon and make their escape after defending themselves, but our number was useless against such a force. some of the Regular Artillery were killed and some wounded. Mr King was severely wounded and taken prisoner and is since dead about 40 of the 49th Regt and some Militia attacked the Enemy and drove them once or twice, but at last met with a party from Fort Erie who were coming to our support but not knowing in the dark friends from foes they fired on each other. Mr Lamont of the 49th Regt was badly wounded with three balls, he commanded a small party of his Regt, but the Americans were among them and were supposed to be Indians for they all wore blanket coats and looked so much like them in the day time that I am not surprised our men were deceived by them at night. The light company of the 41st Regt who were stationed on the river below the place of attack met the enemy when marching up to aid the 49th, they did not know they were the Americans until the word of command was given make ready, take aim the Officer commanding the 41st then attacked them (they were the advance guard of the Enemy) and he drove them back on their main body. The 41st then Retired until day light for it was impossible to know your friends from your foes. At daybreak the Enemy had all retreated and crossed the River, except Capt. King, Aid de Camp to General Smyth & 35 men who were taken prisoners, a party of Sailors composed part of the force who came over, these Scoundrels set fire to some houses of Mr Douglass & Mr Harrison's which were burnt to the ground, these fellows had to make a precipitate retreat some were killed and others taken prisoners. We lost nearly eighty men killed, wounded & those taken prisoners the prisoners have since been exchanged, the 49th & the long Point Militia suffered most. After day light the Enemy made an attempt with seventeen boats to come over we had then about eight hundred men ready to receive them and when the boats came within musket shot we poured such a brisk fire among them that the foremost boats cried out for Quarter but as it was impossible to stop the Militia from firing on them they all turned back. A three pounder was playing on them all the time and giving them plenty of Grape & Canister shot. What number the Americans lost in the attempt to cross is not known but the boats were full when they were coming to this side and only five six, or ten were seen to get out of most of them when they reached the other shore. In this and the Affair during the night the Enemy may have lost about two hundred men. After their failure a large force was seen to collect and upwards of fifty boats scows, &c were filled with men horses and artillery all ready to come over (the enemy it has since been ascertained were then 7000 strong) General Smyth then summoned the Garrison at

Fort Erie to surrender but an answer was sent him to say that we would not think of surrendering the place as we could repel any force he could bring against it and we only had then about fifteen hundred men at the place and hardly a Cannon to fire at them which the Enemy knew and they had at least 16 field pieces and those very large ones. Immediately after he got the Answer instead of coming over he disembarked all his troops. It is said that part of his Army were so disgusted with him that they endeavoured to kill him and three shots were fired at him one thing seems certain that he had to fly from his Army this we have from our prisoners who have returned from there an inhabitant of the Head of the Lake, who made his escape from that side from Capt Fitzgerald who was over with a flag of truce and saw two thousand of his Army paraded to [illegible] him and that hundreds were returning home. All the Militia Volunteers are gone and the Army of the Centre, as General Smith is pleased to call it was reduced by desertion & death from seven thousand to three thous[an]d. I Saw one of this cowardly Generals Proclamations lately he has the impudence to call Upper Canada part of the United States. Its a good deal like Hulls but not quite so barbarous This General Smith was to do so much when he came that he allmost alarmed us, but he proves to be even worse than Hull. We have been quite on the alert since the business at Fort Erie and as the desertions and sickness has been very common among the Militia our force is much reduced and the duty has become very hard both on the officers and men who remain. We have lost a number of Militia Men by the Pleurisy they are taken very suddenly and very violently ill and often die in eight or nine days Numbers of women in the Country have died also lately and what is strange you hardly hear of a Regular soldier being sick but they are used to fatigue and are well clad which is not the case with all the Militia but clothing is now given to the flank Companies some articles for nothing & some at a very low rate. We have a most Gallant Young Officer here. Col. Bishopp who commanded at Fort Erie the day General Smith pretended to come over He does everything he can to make the Militia comfortable and does not mind a little expense, he has already ingratiated himself in their favor and he is as much liked by them I believe as General Brock was. We are in great hopes of soon having a peace, everything seems nearly settled between Sir John B. Warren & Mr Monroe I think the Oxen had better be sold to Mr Brush at the price you mention for I should not know what to do with them here

"Please give my love to my Dear Mother my Brothers & Sisters.

"I am your dutiful & Affectionate son

Charles Askin

John Askin Esq
near Sandwich

"Please thank Alex. Hamilton for the sword he was so kind as to send me. I sent up a few things this fall which I hope you will receive by the Lady Prevost

"P.S. I have been stationed with my Company at & near Chippawa. I am now on leave of absence for a few days & am spending them here with John Robertson & to morrow I must return to my Duty. John Robertson desires his best regards to you.

(Burton Historical Library, Askin Papers)

In a letter to Hon. Paul Hamilton, Secretary of the Navy, Commodore Chauncey described the success of his efforts in delaying or preventing the transportation of reinforcements and supplies from Kingston to Niagara, which had caused so much privation to the troops defending that frontier.

"Sackets Harbor, 9 Dec., 1812.

"Confidential

Sir,

"On the 8th inst. I sent a flag of truce over to Kingston with Mr. Mumney late owner of the sloop Elizabeth. My real motive in sending this flag over was to gain information of the strength at that place which consists of about 600 of the 49th regiment and nearly 1000 militia. They also can call in 2000 militia in 24 hours notice. That part of the Glengary regiment (say about 500) which was at Kingston at the time I made the attack upon the Royal George, finding that they could not get up the Lake by water have marched to York by land. The Royal George, Earl Moira, and a schooner all loaded with military stores and clothing for the Army & Indians at Fort George have made two attempts to escape from Kingston since the 20th of November but upon seeing our blockading squad on have run back. They have now relinquished all hope of getting up this winter and have in consequence discharged the stores &c and laid up their vessels. I therefore hope to have the pleasure of conducting them into Sackets Harbor before they get another chance to get up the Lake. It is also a satisfaction to know that we have prevented the Enemy from sending to Fort George and other posts on that part of the Lake the clothing and arms that his troops may require this winter. Mr. Vaughan could not learn that the enemy contemplated an attack upon this place this winter; on the contrary they appeared to apprehend one from us.

"The information contained in this letter was obtained from an officer on board the Royal George who Mr. Vaughan had known for several years and who is friendly disposed towards us. It therefore may be depended upon. We shall be prepared here at all events to give them a warm reception if they should make any attempt upon us this winter."

(Captains' Letters, Navy Department MSS., Washington)

The apparent discomfort and discontent of the militia determined General Sheaffe to relieve a considerable portion of them from active duty by relays. This was announced in a letter from Lieut.-Colonel Cecil Bisshopp to Lieut.-Colonel Clark.

"Fort Erie, Dec. 13th, 1812.

"It is Major General Sheaffe's desire that all the militia be sent home. One of the flank companies of the 1st, 2d, 3d & 4th Lincoln Regiments be permitted to return home for the space of a fortnight, then to return to relieve the remaining companies of each of those corps.

"One of the flank companies of the Norfolk and York Regts. will likewise be allowed to go home but as these are at a greater distance from home than the others they will not be expected to return till three weeks have elapsed from the day of the departure of each company from its quarters. An alarm post for every company is to be established at a point most convenient to assemble at for returning to their quarters.

"A gun is intended to be placed on the hill near the entrance of Lundy's Lane to give the alarm if necessary by three discharges at intervals of five minutes.

"Particular care is to be taken of the arms and ammunition which the men are to take with them and be responsible for under the superintendence of their captains who with their subalterns are to inspect them once a week by squads, one for each officer, either at the men's houses or assembled at some central convenient spot for the men composing it. The

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William Vaughan, a local sailing master, see Lossing's Fieldbook of the War of 1812, p. 262.

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Th[illegible]
as poss[illegible]

Pr[illegible] given to the [illegible] to be taken for carrying them into effect immediately unless there be any obstacle of sufficient importance to justify their being suspended.

"I have the honor to be Sir
Your ob't servant
Cecil Bisshopp
Lt Col Inspt Fd Officer

"Lt Col. Clark
"Comdg 2nd Lin Militia

"On the other side is the list of the Flank Companies that will go home till the 28th Inst. then to return and relieve the others of the respective Regts

"Likewise the companies of the 2nd York and Norfolk that are to remain till the 4th of Jany

Capt Nelles's company will march to Ft Erie as well as Capt Applegarth's to-morrow morning

"To go home till 28th inst.	To remain till 28th inst.
"2nd Lin Capt Hamilton	Capt Rowe
"3d Lin Capt Warren	Major Warren
4th Lin Capt W Crooks	Capt Nelles
"5th Lin Capt Hatt	Capt Durand
1st do Capt Js Crooks	Capt McEwen
Till 4th Jany	Till 4th Jany
"2nd York Capt Chisholm	Capt Applegarth
1st Norfolk Capt Bostwick	Capt McCall
"2nd do Capt White	Capt Rapelgee

(Dominion Archives, Askin Papers)

Next day Charles Askin wrote another long letter giving further information of recent events.

Dear Father "Near Queenston December 14th 1812

Your affectionate favor of the 26th Ulto I had the pleasure of receiving a few days ago and partly answered but could not go to Niagara therefore missed an opportunity of sending you an answer by the return of the Mail. I

[illegible] Baldoon who
[illegible] he will leave
[illegible] I gave him
[illegible] I have given
[illegible] on the 28th
[illegible] ly but our
[illegible] and much to our
[illegible] the American
[illegible] in such an easy
ma[illegible] sent a Summons
to [illegible] day to surrender
the [illegible] then had seven
[illegible] Black Rock and
Buffa[illegible] Fort Erie to
oppose [illegible] port Me but an
[illegible] every Gallant Young
Office[illegible] not think of doing it
[illegible] could bring
[illegible] Army embarked in
[illegible] and we were
[illegible] very well for most
[illegible] of his men on
[illegible] from the other side
[illegible] but Gen Smyth
[illegible] these advantages
[illegible] on receiving the
A[illegible] his troops. Some of
[illegible] what he
[illegible] seemed to tell
[illegible] or four shot
[illegible] One long
[illegible] coward as I look
[illegible] the shameful
[illegible] of the most
[illegible] opposed to us this
[illegible] think here e not
[illegible] should share the same fate
[illegible] was a good Officer but he was
[illegible] of a Gentleman to please his
[illegible] give up the Command and General

[illegible] Naval Department on Lake Ontario
[illegible] of this War and the Americans
[illegible] & Crews are got for our Vessels, will
[illegible] of that Lake next Spring. Some
[illegible] taken in Sight of the Royal
[illegible] ten Vessels and no exertion

made to save them or [illegible] them. A [illegible] in the British Navy arrived yesterday at Niagara who I believe will [illegible] the Command of One and some others I believe with a Crew from Halifax are coming, and four Vessels are ordered to be built two at Kingston and two at York [illegible] no doubt that the Enemy will try every means in their power to make themselves masters of both Lakes Ontario & Erie.

"No troops I believe are yet on their way here, though it has been frequently reported there were, except twenty of the Royal Artillery and an Officer, who I believe are now on the road between Kingston & this. They are much wanted here, for though we have a Detachment of Militia Artillery on the lines, its not enough and men from the 41st & 49th have sometimes to Assist in Manning the Guns. Some troops I saw in a Montreal paper to-day are on their march from Halifax to Quebec under the Command of Lt. Col. Hamilton of the 100th Regt. what number is not said.

"I saw English papers as late as 12th Augt. there is hardly anything said about the War with the Americans, and I only see an account of one Regt. going to Halifax. I think its the 8th though there are lots of the reinforcements going to Portugal & Spain. The papers nearly filled with accounts of Lord Wellington's great Victories in Spain & Portugal. A prayer has been ordered to be used throughout the United Kingdom of Eng[land] & Ireland, thanking the Almighty for our successes in Spain particularly for the Victory over the French at the Battle of Salamanca. No more titles can be given Lord Wellington than he already has, for he has Spanish & Portuguese ones enough to fill half a sheet of paper nearly. I [illegible] they are now at a loss to know what rewards to make him for his splendid achievements.

"St. Regis a small town in Lower Canada which was taken some time ago by the Americans has lately been retaken by us & a company of Americans were lately taken at a place called Riviere Salle by a party of Militia.

"General Dearborn the Commander in Chief of the American Army is said to be going against Montreal with 16,000 men they have not many troops in Lower Canada, yet I fancy General Dearborn will meet with a warm reception if he goes there. The [illegible] two Regts. raised in Lower Canada since the War one called the Voltigeurs & the other Voyageurs there are five [illegible] Canadians in each.

"We are flattered notwithstanding the preparations we are making for War with hopes of a speedy and honorable peace. Sir John B. Warren is said to be at Washington and all differences between the two countries is settled except the Naturalization of British born subjects who come to

America, respecting this our Ambassador and Mr Monroe cannot agree.

"I am sorry it has not been in my power to pay the Auction Acct but intend to pay it before I get the prize money[7] for I do not know when if ever I get any. I am anxious to pay Mr Pattinson[8] the money I borrowed of him last Summer. I have been disappointed in getting money here otherwise I would have done it before this. I wish Alex. to pay what he owed me to Mr Pattinson & hope he has done it if not beg that he will now and send me a receipt of it. Mr Brush[9] gave a draft on me favour Doctr Day or Mr Eastman & cannot recollect which for one hundred dollars which he lent Major Chambers. This draft he begged me to accept which to oblige him I did at Detroit. The draft was lost in the Caledonia or Detroit so Doctr Day and Mr Eastman have both wrote me, and both of them have requested me to pay it but I have never received the money yet from Chambers tho it has been ready for me a long time indeed I could have had it any time when I pleased to call for it, but seeing no one authorized to receive it I never got it of him. The Money I think I will get now & send it to Mr Brush on his giving me a proper receipt for it mentioning every circumstance respecting the transaction that I may not hereafter be liable to pay the money & have to suffer for wishing to oblige him & his friends that Day. I would like to let Mr Brush have the grey mare at the price he sold her to me too I have more horses than I know what to do with. A receipt from Mr Pattinson will be all I want for that amount & I will then send her to him but he must pay the charges of her hanging up if any. I would sell her but wish him to have her again as he appeared partial to her.

"Elizabeth Mentioned the Miniature picture I have got but do not like to send it now.

"Please give my love to my Dear Mother my Brothers & Sisters.

"Your dutiful and Affectionate Son
Charles Askin

"P.S. I wish it was possible to get the pistol you lent Mr Pattinson.

to John Askin Esq'r
"Care of Matthew Dolsen Esq'r
"River Thames—Sandwich."

(Burton Historical Library, Askin Papers)

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[7] Awarded for the capture of Detroit.

[8] Richard Pattinson, a merchant at Sandwich and a member of the Legislative Assembly for Essex, 1812-1816.

[9] Elijah Brush of Detroit, husband of his sister Adelaide.

An official return has been preserved of the casualties of the Second Lincoln of which the flank companies and a considerable portion of the rest of the regiment had been on service since the declaration of war had been announced.

"List of men belonging to the 2nd Regiment of Lincoln Militia who have been wounded or have died since the 26th of June last.

Stephen Peer	Wounded at Queenston Oct 13th since recovered
Morris Derrick (or Detrick)	
Charles Cook	Shot through the thigh at Fort Erie 28th Novr recovering slowly
Gershom Conger	Died since 28th Novr
John Clark	
*David Tallan	
*Gabriel Smith	
John Gallop	
David Houck	
Daniel Millard	
*Hyre Waram	
*Daniel Hackson	
Benjamin Skinner	
Orman Lange	
William Brooks	
Colin McCallum	
John Hodgkins	
James Stevenson	
Peter Wright	
*Lewis David	
George Couch	

"Note—The names marked with a (*) were single men, the others were men with families.

"Chippawa Jany 1st, 1813.

"Thomas Clark Lt Col 2nd Lincoln Militia."

HC
N

"Ducit Amor Patriae"

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 44

RECORDS OF NIAGARA

A Collection of Contemporary
Letters and Documents

January to July
1813

Collected and Edited by
BRIG.-GENERAL E. A. CRUIKSHANK

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Published by the
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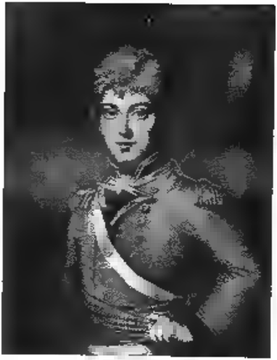

LIEUT.-COLONEL CECIL BISSHOPP

(See Page 70)

PRINTED FOR
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EDITOR'S NOTE

The documents printed, nearly all for the first time in the following publication, like those in its immediate predecessors, have been collected from several widely separated sources. A few have been transcribed from rare contemporary newspapers. They will be found, it is hoped, to throw considerable interesting light on local history.

RECORDS OF NIAGARA
No. 44

1813

From General Sheaffe to Sir George Prevost

A letter from General Sheaffe to Sir George Prevost written at Fort George on January 6th throws considerable light on the situation at that time when winter had put an end to active operations.

"I have received this day a communication from Dy Commissary Genl Couche of which I have the honor of transmitting a copy. The issues of Provisions have considerably diminished in this District and will remain some time much below the last amount. At York and Kingston they will continue to be at least as great as they have been for some time past owing to the increase of the Marine establishment at those Posts. At Amherstburgh it appears probable that the consumption will be increased during the Winter as many sources of supply that the milder season furnished to the Indians will no longer exist. The several Corps and Departments in this Province have been compelled to apply to the Commissariat for pecuniary aid it not being able to obtain money from any other source.

"As the pay of the Militia and other Provincial expenses have been furnished by the Commissariat and it probably not being regular that such monies should be finally accounted for through it, it may be necessary to establish some mode whereby the Province should be made accountable to them through its proper officer the Receiver General. I request Your Excellency's advice and instructions on this Head as it appears to be of importance that some plan to regulate such matters should be speedily adopted, for the simplifying and facilitating the settlement of the public accounts.

"I propose going to York in the course of a few days, the passage of the River being impracticable[*] and likely to be so for some time.

"It has [illegible] Battalions

See also Documentary History 1812 Part II p. 334.

[*] The Niagara [illegible]

might be formed in this Province if encouragement were given by a promise of land &c. A proposition has been made to me by a Major of Militia,[1] to raise a Corps of 2 or 300 men in York and its vicinity and increase it by inlistments elsewhere to 5 or 600, not to serve out of the Province but in such cases as it may legally be required of the Militia. I beg leave to submit this subject to your Excellency's consideration with the hopes of being honoured with an early intimation of your opinion thereon, and of the principles on which you would recommend and approve of the formation of such a Corps. It is thought by some that the inlistment of a Militia man is prohibited by the 23rd Article of the Militia Act passed the 5th of last August but such a construction appears to me to be controvertible."

"I shall not urge the necessity of a considerable reinforcement to this province, as it must be sufficiently obvious to Your Excellency that it will be required to resist the augmented force which the enemy will probably direct against us and to aid in protecting our dockyards from the early attempt which will no doubt be made on them to defeat our efforts for establishing a naval superiority."

(Dominion Archives, C. 117, pp. 1-5.)

Prevost's Reply

The inevitable delay in the transmission of most important letters in the winter is shown by Prevost's reply, written at Quebec on January 21:

"The Montreal mail which arrived this morning brought me your letter of the 6th inst. and its enclosures. The attention of the Commissary General has been called to the papers relating to the provisions and he will give such directions as may be expedient to his deputy in Upper Canada as to the means to be adopted by him in procuring the supplies to meet your wants in this respect.

"The Military Secretary's letter of the 3rd inst. will have conveyed to you my ideas on the subject of militia disbursements & the propriety of an appointment of a Dy. Paymaster. That communication will probably have reached you at York where you might be enabled to supply that officer.

"I presume your removal from your Dist. Hd. Quarters to York is with an expectation your presence at the seat of government would accelerate the accomplishment of the civil concerns of your command. I sincerely hope you may not experience disappointment but be enabled by the good disposition of your Legislature speedily to return to your post with additional means of repelling the designs of the enemy against Upper Canada. I consider the suggestion for raising two or three battalions in the province of Upper Canada with encouragement of the promise of lands which might be recommended by you to the Secretary of State to be confirmed by H.R.H. the Prince Regent to such as engage under those expectations as a judicious measure. These corps would be literally incorporated militia serving under the militia laws & not to serve out of the province except as provided for by that act. As an inducement to promote the formation of such corps, the Legislature would no doubt accede to a certain sum being allowed each man as an outfit to provide some articles of necessaries not to exceed £5 currency. It has been proposed that a sum not exceeding £3 shall be given in this province for the outfit of each militiaman required for service in the next summer. It is very desirable that the corps should not be encumbered with field officers from the militia, but that intelligent and active captains from the line, possessing discretion and skill, should fill those situations. I am aware the execution of such a plan may be attended with great difficulties notwithstanding the incontrovertible benefit arising from it to the service, therefore I [illegible] suggest [illegible] leaving to your judgment for the execution of the whole or part of it according to the disposition of the people you have to deal with.

---

[1] Major Titus Geer Simons of the 2nd York.

"My last communication will have made you acquainted with the extent of the reinforcement I can send you consistent with the safety of other parts of my command. I trust that with them the addition of a well organized militia and the assistance of the Indians you will feel yourself enabled to maintain all your positions from Cornwall to Detroit and Michilimackinac and to bring a second campaign to as honorable a termination as you did the first. I readily assure you that if His Majesty's Government attend to my means of defending the North American Provinces in the spring I will send you a full share of whatever arrives. Since the winter roads have become practicable no intermission has taken place in forwarding to Upper Canada supplies of every description for land and lake service."

(Dominion Archives C 1220, pp. 118-9.)

From Col. Claus to Sir John Johnson

A letter from Colonel William Claus to Sir John Johnson, the Superintendent General of Indian Affairs, shows that there was considerable [illegible] between the officials of that department and military officers which could not fail to be detrimental.

Fort George 7th Jany. 1813

"Dear Sir

The enclosed letters one from Mr. Ironside of the 9th of Dec. covering one from Colonel Elliott to him, dated 17th Nov. & Col. Elliot's to me of the [illegible] ought to have been sent earlier [illegible] I find it difficult to get through. As you will perceive by Elliott's letter to me that he has been [illegible] that was promised him [illegible] he has been constantly and actively employed [illegible] & I am sorry to say that notwithstanding [illegible] situated as our Dept. is, we are subject to the orders and whims of every subaltern officer in the service. His long service & age did not screen him from being called out [illegible] very properly treated as he should [illegible] the last expedition to the Miami when fault was found with him for not ordering the Indians to do what was [illegible] they should do & no direction left to the Indian officer [illegible] (for Elliot [illegible] the Indians were expected [illegible] soldiers & because they did not, they [illegible] were a set of damned useless people. It is much to be desired that Sir George Prevost would place us upon [illegible] out of the power of every officer [illegible] all officers in the service [illegible] to prevent us being subject to the [illegible] you will perceive by Elliot's [illegible] Gen. Sheaffe [illegible] would anything have been said below [illegible] by you to have [illegible] light & the [illegible] defeat [illegible] would not [illegible] seven [illegible] Canada [illegible] I send [illegible] had [illegible] Indian Nations & [illegible] after he remembers [illegible]

"I am so badly off for stationary that I cannot have a fair copy made of the enclosed letter the paper I now write on begg'd from Mr Powell, my neighbor, a little remaining of his stock & the pen I got this day from Capt. Loring. We have not received any stationery for these last five years. We have a very unhealthy season, a complaint prevails that carries off the patient in 5 or 6 days. I am sorry to tell you that poor Lamothe died of it last night, a loss I shall much feel. I was going to send him off to St Joseph. Our stores are all but empty, pray send us anything you can. We look and hope for a strong force in the spring & have nothing to give. No doubt but an attack & that a very formidable one will be made on this post & that a very formidable one will be made on the frontier in the spring. I would wish very much that you would interest yourself on behalf of Elliot, who is the worst paid man in the two Provinces. He has but £100 a year for his services for without serving he would have his half-pay £400, which he sacrificed by accepting of the appointment.

"My papers, as well as everything else are in such a confused state that I can seldom lay my hand on any letter, & I do not know whether I have wrote you since the affair of the 28th Nov last. On the appearance of the enemy moving I sent Major Givens, Mr Chew & three interpreters, with a number of Gd River Indians & Chippewas to place themselves near Fort Erie & Capt Norton with some others of the Gd River Indians & Chippewas to be ready to act either the right or the left as occasion [illegible]. Major Givens Indians who were encampt about 6 miles below Fort Erie were in time to meet & were of great use & behaved well. They kept up a very warm fire on the boats & must have done great execution as they got near the water's edge & took deliberate aim every shot. In [illegible] my young friend Lt King of the Arty was severely wounded & made a prisoner. He was shot down at his 6 pounder & his sword knocked out of his hand. I have been over to the Black Rock twice to see him. My last visit was [illegible]. The [illegible] & I am happy to say he is likely to do well & [illegible] going over [illegible] a fortnight to bring him over [illegible] they are badly off for every [illegible] We [illegible] some valuable Indians [illegible] the [illegible] kind of plenty [illegible] & head.

With sentiments of esteem & regard, I am Dr Sir

"Yours most faithfully

"W Claus."

"The Hon.
"Sir John Johnson, Bart.
(Claus Papers, Copy by Miss Catherine Claus.)

From Commodore Chauncey to Sir John Johnson

After having laid up his ships on Lake Ontario for the winter in Sackett's Harbour and provided for their defence, Commodore Chauncey went to Buffalo to arrange for the construction of ships of War on Lake Erie. A small ship-yard had been constructed at the mouth of a creek flowing into the Niagara River below Black Rock, where several merchant schooners were being converted into gunboats. From Black Rock he wrote a letter to the Secretary of the Navy on the 25th December 1812.

"This frontier is left with less protection than its importance requires. From this place to Lewiston a distance of about 24 miles there is not a single sentinel. There is about 300 of the 14 Reg. stationed at this place the rest of the army have gone into winter quarters 11 miles back from the river; therefore if the enemy should think proper to cross, spike all the guns and destroy all our stores there is but little to prevent them. I am erecting a Block House near the vessels with a view to their protection and the stores belonging to the Navy Department which I hope to preserve. Notwithstanding we are assured by the Military, the people upon this frontier place so much more reliance upon the protection afforded to them by the seamen than the Military, that if any circumstances should make it necessary to remove the seamen this part of the frontier would be immediately deserted.

(Captains Letters Navy Department MSS. Washington.)

From Commodore Chauncey to General Sheaffe

He wrote on the same day to Sheaffe apologizing for the misconduct of some of his seamen in the recent incursion and proposing an exchange of prisoners.

"Upon my arrival at this place" he said "I was mortified to learn that a party of three sailors had crossed the River on the 28th ulto and burnt two houses the property of individuals. This act I assure you Sir was done without the knowledge of the Naval Officers then commanding on this Station and the men have been made sensible of the impropriety of their conduct.

I will also assure you that as far as is in my power to prevent no similar act shall be repeated by the men under my Command.

At Williamsville

"I understand that these Seamen were taken on the morning of the 28th ulto. in company with some Soldiers, and are now Prisoners at Fort George. I trust, Sir, that you will not hesitate to let these men return, when I assure you that I hold Colonel Vincent's receipt for Captain Brock[2] and the officers and crews of the Mary Hatt and Elizabeth[3] taken by the squadron under my command upon Lake Ontario in Nov. last, and who were sent to Kingston immediately after, upon their Parole. Lieut. King[4] is in a way of recovery. I will send him over upon his parole the moment he can be removed with convenience to himself."

(Sheaffe's Letter book.)

Sheaffe's Reply

Sheaffe's reply from Fort George on 4th January, 1813, courteously declined an exchange of seamen until he received further instructions.

"I have the honor of acknowledging the Receipt of your Letter of 25th Decr. Brigadier General Smyth, soon after the burning of the two houses to which you allude, thought proper to explain in a Letter addressed to the Commanding Officer at Fort Erie, by what means that act had been committed, and to declare his disapprobation of it. I receive with great satisfaction the assurance of your participating in his sentiments on the occasion.

"I regret that it is not in my power to accede to your Proposal for the release of the American Seamen taken on the 28th November. The Treaty for releasing on their Parole, and for the eventual exchange of Prisoners entered into between General Dearborn and Sir George Prevost not providing for such a case, I must wait for authority to liberate those men. It is not however to be expected that more Prisoners will be sent over from hence on their Parole until the Officer Commanding the United States Forces on the Niagara Frontier shall have performed on his part what remains to be done for the completion of the exchange of those who have been returned by us on their Parole. For Captain Brock, I have no doubt that a Captain of the United States Army has been released. If the officers and crews of the Mary Hatt and Elizabeth have not been exchanged it will be necessary that

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[2] James Brock, paymaster of the 49th Regiment, a brother of the General.

[3] Canadian merchant schooners.

[4] Lieut. Charles King of the Royal Artillery. See Documentary History 1813, Part II, p. 248

I shall be furnished with their names and with authority from His Excellency Sir George Prevost, to enter into a negotiation for their exchange on which I shall without delay apply for instructions.

"P.S. I beg you will accept of my thanks for your pleasing account of Lieut. King and for your assurance of sending him over on his Parole when he can be removed with convenience. The name of the officer of similar rank of the U.S. Army now on Parole may be sent with him, for their mutual exchange."

(Sheaffe's Letter-book.)

From Commodore Chauncey to the Secretary of the Navy

From Black Rock Chauncey went to Erie in Pennsylvania, where another ship-yard had been established and the construction of gunboats begun. From that place he wrote to the Secretary of the Navy on the first day of January, 1813.

"I arrived here yesterday and found that Mr. Dobbins had commenced the building of four gunboats, two of the frames was already raised and the other two nearly ready these boats are too small to cruise upon this lake and the two that are the most forward are in a state I cannot alter them, by the other two I have added ten feet to their length, which will make them safe vessels.

"Mr. Dobbins has already expended three thousand dollars—he sent me a copy of his instructions in October last. I then wrote to him not to commence building until he heard further from me upon the subject, he however states that he never received that letter which was the reason that he commenced the boats without instructions.

"These boats will not be ready to launch before the middle of April there is but few carpenters to be got here and most of these are house carpenters. I have however ordered three good ship carpenters from Sackets Harbour to this place which will enable Mr. Dobbins to progress with the work pretty fast until the Spring when I will furnish more workmen.

"The Harbour of Presque Isle is large and capasious (sic) and would be a fine rendezvous for our vessels on this lake if there was more water on the bar which unfortunately only admits vessels drawing from 4 to 5 feet. Yet in my opinion it is the best and indeed the only place we can build at. The situation is healthy and good accommodations may be procured for the workmen and the place can be easily defended.

"Before I leave here I shall inform myself of the resources of this part of the country in furnishing materials for building and equipping vessels for war, my present impression is that it abounds with fine timber and iron and cordage may be procured with facility from Pittsburgh."

(Captains Letters, Navy Department M.S.S. Washington.)

From Chauncey to Secretary Hamilton

Returning within a week from Erie, Chauncey wrote to Secretary Hamilton from Black Rock on January 8.

"I arrived here from Erie yesterday and found things much as I left them. The vessels at this place purchased for Acct. of the Navy Department (four in number besides the Caledonia) are in that state that they cannot be removed until we have possession of the opposite side of the river. I have therefore determined to procure materials at Erie this winter to build a brig of about 300 tons to mount the guns of the Oneida upon her. The cost of the materials will not be great and can be sold with little loss if not wanted. I shall be in a situation in the Spring (if we get the vessels out of this river) to build the brig in the course of a few weeks which will enable me to seek the enemy upon this Lake. Unfortunately Lieut. Elliott (from the best motives however) had the decks of the vessels at this place taken up for the purpose of entering into a more extensive alteration than I wished or contemplated. Soon after the carpenters got at work, the enemy commenced a fire upon this place which induced them to break off and return to New York. The consequence has been that the vessels still remain in the state in which the carpenters left them in Oct. last, that is with their decks and sides all torn up. I have not deemed it advisable under all circumstances to do anything to them this winter as the weather is unfavorable and the days are short, consequently the men would work under disadvantages that must be removed in the Spring. Moreover I do not wish to incur expense that may prove useless for unless we get possession of the other side these vessels can be of no use to us, consequently any repairs put upon them would be thrown away. I have however contracted for all the stuff requisite to repair them to be delivered here this winter and in the Spring I shall be in a situation to complete their repairs and mount their guns in a few weeks if there should be a prospect of gaining the opposite shore. If there was no other obstructions than ice in this River would prevent our getting into the Lake before the first of June and as I shall be able to get out of Sackets Harbour about the first of April I contemplate bringing all the carpenters from that station to this by water which will give us an abundance of time to fit these vessels or build the Brig at Erie or both as circumstances may require

"The vessels here have been hauled into a small creek in rear of Squaw Island where they are safe from the ice and the shot of the enemy and I am erecting a Block House to mount four guns on the top besides musquetry near the vessels which will enable our men to protect them completely even if the enemy should attempt to cross over with an intent to burn them. Both officers and men have suffered very much this fall and winter for the want of quarters they have been living about in the woods in small huts made of the leaves of trees ever since they arrived on this station, and Lieuts. Elliott and Angus have not been able to procure quarters for them the consequence has been that we have lost many by sickness and a number by desertion. I am only astonished that so many have remained true to their Country under all the privations which they have suffered. I am in hopes to get both men and officers into comfortable quarters by the 15th inst. as the building for their accommodation is now under cover and will be ready I think by that time to receive them when they all will be more happy and more healthy. The wounded officers and men are doing very well. Midshipman Graham has suffered an amputation of his leg.

"I am making arrangements for collecting all our stores into one building which are now distributed in almost every direction for twenty miles around owing to the great confusion which has prevailed upon this frontier ever since the war.

"I have been induced (as I informed you by a former communication) in consequence of losing the services of so many officers by death and wounds together with the conduct of Lt. Angus to appoint Midshipmen Dudley and Holdup to act as Lieutenants which I hope you will approve of.

"I hope to be able to arrange my business on this station so as to leave here for Sackets Harbor next week from which place I will write you the state of my command there.

(Captains Letters Navy Department MSS Washington.)

From Col. Claus to Major James Givins

The messengers appointed by the Six Nations to solicit the co-operation of the Indians in Lower Canada, who apparently made the long journey on foot, were provided with letters to the resident agents of the department at York and Kingston, to facilitate their march. To Major James Givins, the agent at York, Colonel Claus wrote:

Fort George 16 Jany 1813

Sir

"The bearers, seven men of the Six Nations are Messengers to the Seven Nations of Canada. You will give them what assistance you can in provisions

"I wrote to you a few days ago enclosing a letter to Mr Askin* at Mackanac should an opportunity offer very soon trusty Indians must be sent as an answer is very soon required."

(Claus Papers, Copy by Miss Catherine Claus.)

From Col. Claus to Capt. John Ferguson

His letter to Captain John Ferguson, the agent at Kingston, was more urgent

Fort George, 17th Jany 1813.

"Sir,

"The bearers, 7 men of the Six Nations are on a mission to the Lower Province, you will please give them every assistance in your power in provisions, & should any of them be taken sick on the road, you will furnish them with a paper requesting of the Inhabitants to assist them with a slay from post to post. As we have no station lower than Kingston, Gen Sheaffe has written to Col Vincent to give them letters to the different Military posts between Kingston and Montreal to supply them with provisions."

(Claus Papers, Copy by Miss Catherine Claus.)

From Col. Claus to Prevost's Secretary

Colonel Claus having informed General Sheaffe that interest had become due upon the money derived from the sale of the lands of the Six Nations on the Grand River, which had been invested for them in England, he brought the matter to the attention of Prevost's military secretary in a letter from Fort George on January 17

"I am directed by Major General Sheaffe to transmit to you the accompanying Letter from Colonel Claus, Dy Supt Genl. of Indian affairs and to request that it may be laid before His Excellency the Governor in Chief.

"It is impracticable to obtain the money in this Province to satisfy the claims of the Indians. It has been due to them several months and even if cash could be got for Col. Claus's bills as Trustee a loss would be sustained owing to the rate of exchange that Government it is conceived would not allow to fall on the Indians. Major General Sheaffe therefore begs to propose for His Excellency's consideration that the sum of be remitted to the Dy Commissary Genl about five hundred of which to be in silver and the remainder in the smaller army notes to be paid into the hands of Colonel

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*John Askin Jr. storekeeper for the Indian Department at Mackinac and St. Joseph.

Claus, for his Bill for that amount as Trustee for the six Indian Nations."

(Sheaffe's Letter-book.)

From Capt. Loring to the Military Secretary

As the local stores were no longer able to supply the soldiers with the small articles needful for cleaning and mending their clothing and accoutrements, General Sheaffe recommended that they should be furnished in future by the commissary officers. Captain Loring wrote on the subject to the military secretary from Fort George on January 25:

"Major General Sheaffe has directed me, in reference to an order for the officers to procure supplies of necessaries for their men from the Lower Province, to request that you will lay before His Excellency the Commander of the Forces his suggestion that supplies of clothing and necessaries for the Troops here, may be sent up by the Commissariat to be issued. Major General Sheaffe is induced to propose this measure from a conviction that the procuring the articles necessary for the soldiers comfort from so great a distance, particularly at this crisis, would be attended with much more difficulty and even risk than the Individuals commanding companies could be enabled to surmount, or bear the heavy responsibilities of."

(Sheaffe's Letter-book.)

From Charles Askin to His Father

The tranquility of the Niagara frontier was scarcely disturbed during the winter months by even a rumour of hostility. On the second day of February Charles Askin wrote a letter from the head of Lake Ontario which is here transcribed:

"Dear Father,

"I wrote to you three or four days ago and enclosed some newspapers to you which I left at Queenston to be forwarded from that. I have still one left which I shall now inclose in which you will see the famous General Smyth's Official Despatch respecting the battle at Fort Erie, which is one of the most ridiculous things I have read for a long time past.

I was much rejoiced to hear of the great Victory obtained over the Enemy at River Raisin. From what I have learnt General Harrison is supposed here to be on the way to Detroit. Some troops have left Buffaloe some time since to reinforce his Army. Its a great pity we have so few regular troops here that we can spare but a Very small number to assist you above one hundred and forty of the 41st Regt passed this on their way to Amherstburg today. I am afraid no more are going up for some time.

"I am now settling all my business so as to have my affairs in such a state as to be able to leave home (if necessary) for some months without suffering much by it.

"I find I have an acct. in my book against James and another against Alex [illegible] which I now inclose. I think I owe Theresa something. I would cause the acct. to be made out and send it to her probably James may not owe me although I have nothing in my books to his credit. I cannot recollect now how I paid him the difference between the value of Eclipse & the Colt I gave him but he may remember. I should like to know if any of the Cider sent down belonged to him and if he has any acct. against me.

"Mr Robert Dickson arrived from Lower Canada three days ago. Its thought that he is to have Command of a large body of Indians—the latest news we have from below is that the French were obliged to leave Moscow.

"I inclose Poudrie's note and Thomas Collier's which I have found among my papers.

"Please give my love to my Dear Mother, my Brothers and Sisters and believe me to be Dear Father &c."

(Burton Historical Library Askin Papers.)

From Gen. Sheaffe to Sir George Prevost

The pay and maintenance of the militia called out for the defence of the province was a charge upon the provincial treasury which had long since been drained and large advances had been made by the Deputy Commissary General to meet the most urgent demands of civil as well as military expenses. These were ultimately met by drafts upon the Military Chest which it does not appear were ever repaid by the province. A letter from Sheaffe to Prevost written at Fort George on February 8, shows the comparatively large sum required for these purposes.

I have the honor to acquaint you that the Dy Commissary General has handed me a statement for the several sums advanced by him to this date for Provincial Services in Upper Canada amounting to £25,000 Army Pay. I am therefore to request that you will be pleased to grant your Warrant to that amount in favour of the Receiver General of the Province. A further sum will be required immediately in aid of the [illegible], you will be pleased also to grant another Warrant for £12,000 Army Pay and that the Commissary General may be directed to forward the amount to the

Receiver General. The average Provincial expenses arising out of the War with the United States may be stated in ROUND sums as follows:

Amherstburg and Detroit — — —	£2,000	per month
Long Point — — —	500	"
Fort George and Dependencies —	5,000	"
York —	800	"
Kingston — — — — —	2,000	"
Prescott & Eastern District — — —	2,000	"
Total — — — — — — —	£12,300	

Exclusive of Rations of Provisions.

(Sheaffe's Letter-book.)

Letters from Colonel Procter

Letters from Colonel Procter commanding at Detroit and Amherstburg contained a very urgent appeal for a small reinforcement, which in fact was already on the march, and disclosed an alarming situation. In the first of these he said:

"If you do not send me as many as will replace those who are, in consequence of the affair of the 22d (at the River Raisin) unfit for service, of the 41st Regt. very serious Consequences may follow the Enemy's advance, which should be expected and immediately. We shall do our duty, but that will not save the Country, tho' it may our Credit."

In the second letter, written three days later, he announced that the hostility and treachery of some of the inhabitants of the Michigan Territory had induced him to take most drastic measures to enforce obedience.

"To preserve the Territory, therefore," he said, "I found myself under the absolute necessity of declaring Martial Law therein. I have also found it necessary to order some of the most suspicious and turbulent characters to quit the territory, among whom are some British subjects. They will proceed to Fort George under an escort and there will be at your disposal, tho' I shall take upon me to make some remarks respecting some of them."

Among these persons deported from Detroit were Chief Justice Woodward, who had been retained in office, and Colonel Elijah Brush of the Michigan militia, whose wife was a sister of Charles Askin.

Captain Loring wrote from Fort George on February 12 to Colonel Baynes, the adjutant general:

"I am directed by Major General Sheaffe to forward to you the two accompanying Letters from Colonel Procter together with a copy of the Resolutions of a Party of the Inhabitants of the Territory of Michigan referred to by him.[illegible] The Papers were brought express by Mr Mackintosh who met Mr. Dickson and Captn. Norton on their route to Amherstburg, and was informed by them that about a hundred of the grand River Indians were assembled and ready to march. He afterwards stopped at the house of Mr Chew of the Indian Department by whom an express was sent for those Indians to proceed immediately to Amherstburg and directions have been sent up for as many more to follow them as can be assembled. Orders have been likewise forwarded by Lt Col Bostwick of the Oxford Militia, who happened to be here, for the Middlesex, the Oxford and Norfolk Regts. of Militia, to march immediately under Colonel Talbot to reinforce Colonel Procter.

"Major General Sheaffe desires me to say, that he does not deem it prudent to detach any farther portion of the Regular force from this line, the Enemy being in great force and there being a bridge of ice between us. The Militia of this District are called in."

(Sheaffe's Letter-book.)

From Charles Askin to His Brother-in-law

Naturally Charles Askin took considerable interest in the fate of his brother-in-law, who seems to have received better treatment than his fellow prisoners. On February 23 he wrote from [illegible]:

"I wrote to you on Monday last by Mr. [illegible] in answer to three letters I lately had the pleasure of receiving from you. Mr. Brush is still here. The other Citizens of Detroit are at Niagara and are hardly allowed the liberty of walking the Streets. I am happy to say the behaviour of Mr. Brush has been different and he has had the privilege of coming up and going down from this to Niagara when he pleased. I have staid here several days on his account tho' I was anxious to get home. I believe I shall go to-day. Alex. Hamilton will do any thing he wishes therefore he will be at no loss when I am gone. I have paid Mr. Brush sixty one dollars for you which he says was the amount of the 4 Doubloons you got of him and I have paid John Meldrum[illegible] twenty dollars for Alex. which I must beg he will return to me as soon as possible as I am very much in want of money. The remaining thirty dollars which Alex. Owen M. Meldrum he should pay to some of

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[illegible] See Historical Collections of the Michigan Pioneer and Historical Society, Vol. XV, pp. 443-4.

[illegible] One of the prisoners.

his friends at Detroit I suppose to his Wife or his Father The detention at Niagara of these people from Detroit will be attended with a great deal of expense to them; but it will teach them to behave themselves, a little punishment will do them no hurt

"We were for some time in great hopes of seeing General Harrison and his Army here* but from what I can learn I do not think he will be ready to come forward for some time to Detroit, and its probable he will not dare to advance at all.

"We see no troops opposite this and I believe the enemy have not many in Fort Niagara

"Col Procter & Col Vincent are promoted and are both Generals now

"I am sorry to say Lt King of the Royal Artillery died yesterday morning at Black Rock or Buffaloe of the wounds he received in the action on the 28th Novr last, he was an active and gallant officer."

(Burton Historical Library, Askin Papers.)

From Capt. Loring to the Commandant at Kingston

A letter from Captain Loring to the commandant at Kingston, written at York gave orders for the deportation of the two most favoured of these prisoners, while the others seem to have been detained as prisoners of war some of them being sent to Quebec for confinement.

"I am directed by Major Genl Sheaffe to inform you that on the arrival of Colonel Brush American Prisoner of War, and Mr Woodward the late Chief Justice of the Territory of Michigan at Kingston (who proceed from hence escorted by Lieutenant Johnson of the Canadian Regiment the bearer of this Letter) they are to be crossed over to the American shore together with their Horses should they require to take them this however I do not imagine will be the case as they are now endeavoring to dispose of them

(Sheaffe's Letter book.)

From Lt.-Col. Bruyeres to Sir Geo. Prevost

After having visited the Niagara frontier for a few days Lieut Colonel Bruyeres made a careful report upon its defences to Sir George Prevost which was written at Kingston on February 13

"I would have written to Your Excellency from Fort George to report the state of that frontier" he said, "but the extreme illness of Major General Sheaffe during the time I

was there prevented my communicating with him on business until two days previous to my departure in order to obtain his approbation and concurrence for the measures of defence which I proposed to adopt for the defence of that line.

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* As prisoners of war

"The work at Fort George is in a very ruinous and unfinished state; fortunately the line of curtain opposite the American shore was completed last fall and has been the means of protecting the troops during the severe cannonading that took place at that time. It will be indispensably necessary to complete this fort as a field work as soon as the season can possibly admit of removing earth to form the parapet of good sod work of sufficient height and thickness to resist battering from the opposite shore. It will further be very desirable to diminish the line as much as possible by cutting off the present work on the south-east front in order to reduce the extent of the fort which is rendered very weak by enclosing too large a space of ground; it will then become much more compact and defendable, at the same time it will decrease the labor and expense necessary to its construction.

"Major General Sheaffe has approved of the manner in which this work is proposed to be done, which I will have the honor to more fully explain to Your Excellency on my arrival at Quebec. Splinter-proof barracks to contain about 400 men will be required to be constructed in the rear of the curtains to secure them from the effects of shot or shells. Stabling for the artillery horses with barracks for the drivers and Royal Artillery must also be provided within the fort. The present blockhouses are so much exposed that it will be necessary to take down and remove the upper story of three buildings and to lower the whole to the level of the proposed terre pleine. They will then be sufficiently secure to contain the ordnance and some minor stores for the rear of the garrison. The powder magazine can only at present be made temporary, constructed of log work well covered with earth. The public buildings near the river at Navy Hall should all be removed as soon as possible and rebuilt in a place of security at some distance from and in rear of the fort. The stores they contain and the buildings themselves are so exposed to immediate destruction that no delay should take place in this service. Gun sheds are required for the field brigade and the guns for the fort. An hospital for the troops to be built out of range of the enemy's guns in rear of Fort George to consist of four wards for one hundred patients with a surgery and surgeon's quarters is strongly recommended and applied for by the medical department. The sick and wounded are at present accomodated in a church* within the range of the opposite batteries.

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* St. Mark's.

"There are six detached batteries containing eleven pieces of ordnance of different natures between the lake and Fort George; four batteries with five pieces between Fort George and Queenstown. Two batteries with two guns on the mountain at Queenstown. Two batteries with three guns at Chippawa. Three batteries with three guns opposite Black Rock below Fort Erie. This number of detached batteries may at first sight appear superfluous and unnecessary, but the commanding positions that each of them occupy are so very essential that it is not possible to diminish or reduce them without making the point so reduced the place for debarkation for troops. The only object necessary to be accomplished is to secure these batteries with a strong line of palisades in the rear to guard against surprise or sudden attack. This would have been done last fall but regulars and militia were so constantly harassed and employed to protect this extensive line that they had not a man to spare either to prepare the palisades or fix them. Small temporary magazines constructed of log work covered with earth to contain each a few barrels of powder are required for the service of these batteries. I have directed these magazines to be immediately constructed and the batteries to be enclosed.

"A tower or small redoubt to command the entrance of the river is essentially necessary to be erected on Missassaga Point.

"It is also requisite that the work at Fort Erie may be continued and completed as early as the season will permit. Although liable to some objections it will in my opinion be the most expeditious and best system to finish what is already begun than to take up a new position. The battery to protect the front may be constructed with sod work, the guns to be mounted on traversing platforms and elevated as much as possible to guard against the commanding batteries on the opposite shore. A magazine will be required within the fort which may in the first instance be built with timber in a temporary manner that no delay may take place to secure the powder.

"Accomodation is very much wanted for the troops on this part of the Communication, particularly officers' quarters, as many of the houses on this line have been destroyed by fire that it becomes a very serious deprivation and quarters must be built to lodge the men. Splinter proof barracks must be constructed within the fort similar to what is proposed at Fort George. The number of men for the defence of this line must indispensably be augmented to afford any reasonable expectation of maintaining the positions on this frontier. The distance from Fort George to Fort Erie is thirty-six miles.

Twenty-eight miles of this distance is accessible and favorable to disembark at any point from the opposite shore. I have arranged with Major General Sheaffe relative to the most material of the services herein mentioned."

(Dominion Archives, C. 387, pp. 15-18)

Militia Orders

General Sheaffe had been disabled for several weeks by serious illness but had sufficiently recovered to go to York for the opening of the winter session of the provincial parliament. He was still much enfeebled and his mind was dulled by disease. Sir George Prevost made a hasty journey from Montreal in a sleigh as far west as Fort Erie inspecting the troops and fortifications and even "visiting the advanced positions which the solid state of the ice at the northern extremity of Lake Erie had rendered it indispensably necessary to establish to prevent those incomplete & open batteries from being surprised or taken in reverse."[1]

Movements of troops on the opposite side of the Niagara actually caused so much alarm that it was considered necessary to call upon the militia to reinforce the troops on duty.

"Head Quarters, York, 16th March, 1813.

"M. G. Orders.

"His Honor Major General Sheaffe is pleased to direct that the five Lincoln and the second York Regiments of militia are to furnish, with all possible expedition, three companies each for duty on the Niagara line.

"Agreeably to the new militia law there will be one captain, one lieutenant, one ensign and three sergeants to each company and it is not to exceed fifty rank and file. The commanding officer of each regiment and the other officers whom he may find necessary to call on for the purpose are enjoined to use every exertion for the assembling and march of these detachments to the nearest point of the frontier.

"His Honor Major General Sheaffe being determined to notice with the utmost severity any neglect or disobedience which at such a juncture may endanger the safety of the province, but he trusts that the spirit which actuated the country at Detroit and at Queenston still so generally and powerfully prevails that it will save His Honor from the painful task of

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Prevost to the Duke of York, Quebec, 30 March, 1813. C. 1220, p. 158.

censure and leave him nothing to bestow but praise and commendation.

"By order

"Æneas Shaw

"Adjt. Genl. Militia."

(Dominion Archives, Militia Papers, M.D. 32.)

From Col. Vincent to Sir Geo. Prevost

Active hostilities began with a lively artillery duel between the batteries on opposite sides of the river at Black Rock and near Fort Erie on March 17, and the companies of the Second Lincoln and Norfolk Regiments of militia which had been stationed along the shore of Lake Erie as far up as Point Abino were hurriedly marched down to resist a landing which was supposed to be imminent but was not attempted.

Colonel John Vincent, commanding at Kingston, was transferred to Niagara to command the division on that frontier, with the local rank of brigadier general. He was well known to many of the inhabitants from being previously stationed at Fort George and possessed their entire confidence and esteem.

Soon after his arrival there he projected an assault upon Fort Niagara, which he believed could be easily taken but this was disapproved by Sheaffe as being contrary to the strictly defensive policy advised by the governor.

"The last information of the Enemy at Niagara states their number much lower than it had been supposed to be," he wrote to Prevost from York early in April. "Two hundred are said to form the Garrison of Fort Niagara. This intelligence has encouraged Brigr. General Vincent to propose a plan for an attack on it with four hundred men, for which purpose it seems that more boats are required than we can at present command, besides it was thought a necessary part of the plan to employ the aid of Indians in its execution. It appears to me that such an operation, if we possessed the means of effecting it, would not accord with the principle adopted by yr Excellency with regard to Sackett's Harbour as communicated in yr private Letter of the 18th March which has arrived since I began this Letter."

(Sheaffe's Letter-book.)

List of Tavern Licenses

A list of licenses issued for conducting taverns and shops in the Niagara District contains several familiar names

"Account of the tavern licenses issued in the District of Niagara between the 5th Jany and 5th day of April 1813.

"April 5th

John Knox
Thomas Fowls
James Bunting
John Smith
John Dailey
William Wynn
Robert Waddle
Peter Walsh
Paul Shipman
William Terryberry
John Emery
Mary McBride
Samuel Swayze
John Palmer
Edward Brady
James Henry
Charles Anderson
John Halley
William Vanderlip
Abraham Markle
Frederick Anchorin
Nathan I Fowles at £3 each

Total amounting to sixty six pounds Halifax.

Isaac Swayze

Shop Licenses

John Young
Francis Crooks
John Dorman
John Grier
William Crooks
James Crooks
John Elbert
Daniel Shunck
Elijah Secord
Andrew Heron
John Baldwin

(Dominion Archives, Sundries, U.C. 1813)

From Lt.-Col. John Warren to Major-General Shaw

A veteran officer of the militia, who was also commissary at Fort Erie, found it necessary to resign his commission and was succeeded by his son, John Warren, Junior.

From Lt. Col. John Warren to Major General Shaw

Fort Erie, 7th April, 1813

Sir,

The duties of the Commissariat at this post since the commencement of the war have increased near ten fold and require every attention that myself and two assistants can give. The rapid decline of my health for the two months last past, had put it out of my power to attend to the station that I hold in the militia with that strictness that it requires. I am therefore constrained to request that my resignation of Lieutenant Colonel of the 3rd Regiment of Lincoln may be accepted.

(Militia U.C., 1813)

From Charles Askin to His Father

Charles Askin diligently collected news for his father's information. On April 23 he wrote to him from "Mountain 3 miles from Queenston."

"I have long anxiously wished for an opportunity of writing you to return thanks for the loan of seventy five dollars you were so kind as to send me by Mr. Pattinson, the receipt of which relieved me from small embarrassments which the loss of the hundred dollars I lost in the water would have thrown me into, but I sincerely hope you have suffered no inconvenience by sending me that sum or I shall regret having got it.

"I had the pleasure of receiving a few lines from you some days ago desiring me to send up Eclipse[1] which I will do as soon as he is in a condition to perform the journey, and that I have a good chance of sending him. Forage for horses is hardly to be got, there has been so much consumed by the Field Officers' horses, Dragoons, &c. and the horses of the Cart Brigade, and not so much hay cut last Summer as there used to be in other years, for many were doing duty as Militia men and lost most every thing they had. That has been the case at Sandwich as well as here. Flour is 10 Dollars per barrel which I think is low considering the times. I see in a newspaper an extract from a Boston Paper which says that every barrel of flour sent to supply Harrison's Army cost one hundred and twenty dollars when delivered to the Government of U.S. I believe it must be very expensive getting flour to where his Army are stationed but still do not think it can cost so much

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[1] A riding horse.

"The American Government have accepted the Mediation of Russia and the Ambassador from the Country on his arrival in the United States was well received. An American Officer who came over to Niagara two days ago with a flag of Truce says that an Express had gone to Sir John Borlase Warren, who has power to treat with them, but when the Express arrived at Sir John's Station he had put out to Sea, the dispatches were opened which were for him by the officer next in Command, who immediately sent a cutter out after him, and in three days Sir John returned and sent a dispatch immediately to Washington. The officer says that an Armistice for six months was requested which was the occasion of the communication between his Government and Admiral Warren, this will probably be the forerunner of a Peace. If they wish for peace so much the better, if not I think we will soon be prepared for them here so as not to dread any force they can bring against us, part of the 8th Regt. have arrived at Niagara and the remainder of them are on their way up here, the 104th Regt were at Kingston some days ago on their way up, part of the Glengary Light Infantry regt. are here and the rest of them coming, and three Companies of Voltigeurs, when all these get here we shall have a very respectable force. The 41st are at Fort Erie under Orders for Amherstburg

They are recruiting here for a Troop of Dragoons, a Corps of Drivers 2 Companies of Artillery and a Corps of Artificers which to complete will take four hundred men who are to serve during the war with the United States, these Corps interfere very much with the Regiments of Incorporated Militia which we are attempting to raise here and to one of which I belong. I have been as successful in getting men as almost any one yet have not got my complement. I think if I had Alex Askin with me I should get them in two or three days for I think he would make an excellent recruiting officer

The whole of the immense Army taken by Bonaparte into Russia has either been taken or destroyed except a few officers who made their escape with him. Genl Yorke who commanded 30,000 of the Prussians in Bonaparte's service was forced to enter into a convention to save himself and men, one of the Articles of which was that his army are to occupy a District in Prussia which was to be perfectly neutral and that if the King of Prussia did not ratify the convention they were not to fight against the Russians for 2 months from the date of the Convention. Mr Barlow the American Minister at the Court of France died on the Road between Dresden and Paris of the Fatigues of his Journey to and from Wilna, he had gone to congratulate Bonaparte on the taking of Moscow. One of Barlow's attendants, who did not wish to perform the Journey made his escape to Heligoland, where he was taken up as a spy and in his possession some papers were found of consequence, among which was a proposal from Bonaparte to Madison to guarantee the Presidency of the United States to him for life on condition of his declaring War against Great Britain. Bonaparte also complains of the want of energy in the American Government and wishes it subverted. He offers to send over 3,000 French Officers which he directs how to be introduced into the American Army without creating any suspicion, offers also to lend him money and a few frigates—that Mr Barlow is dead I believe but whether the rest of the story is true I have some doubts, so many stories of this kind are now made and the people have been so often deceived that should all this be a fact they will give no credit to it in the States.

"By a letter an extract from which I have seen in a Newspaper from an officer in Harrison's Army dated 28th Jany it appears that only 27 of Winchester's Army made their escape from the River Raisin on the 22nd Jany."

(Burton Historical Library Askin Papers)

Petition to General Vincent

The capture of the seat of government and its occupation for several days by an overwhelming hostile expedition at the end of April was a serious disaster causing great discouragement. A ship of war on the stocks larger than any then afloat on Lake Ontario with the supplies necessary for its completion, and the buildings of the dockyard, the garrison and public offices were destroyed. The civil administration of the province was dislocated and all communication with Kingston and Lower Canada was cut off for about two weeks. The movement of much needed reinforcements already on the march was delayed. The situation appeared so alarming that the most influential magistrates united in preparing an address to General Vincent suggesting resort to martial law to maintain order.

"To Brigadier General Vincent

"At a time when the Enemy has possessed himself of the capital of the Province and the President (is) driven from it the Judges of the Court of King's Bench under control of the enemy, the public records burnt and all benefits of the laws suspended or annihilated and the Enemy momentarily threatening an invasion. Such a state of things could never have been contemplated by our Legislature otherwise it would have been provided for by the enactment of more efficient Laws. We therefore as men of some standing and weight in this Society and holding real property to a great extent, humbly offer it as our Opinion that under existing circumstances self-defence is paramount to all other considerations and at present recourse only to the civil laws of this Country would be unavailing and paralyze the best exertions of His Majesty's loyal Subjects, endanger our existence as a people and government the safety of which ought to be supreme law. When we observe a supineness or want of alacrity in some of our Militia, traitors joining the Enemy, and some fostered among ourselves, reason and argument become nugatory. A regard to the interests of our Sovereign and the deliverance of these Provinces from the domination of the Enemy would well warrant the immediate adoption of Military law administered with a due regard to the habits and feelings of His Majesty's loyal subjects but aware that in your situation, it might not be thought expedient to promulgate the same but placing the most implicit confidence in your discretion and ability, we would humbly presume to advise that you would take upon yourself to adopt such measures as in your own judgment would tend best to the defence of the Country and in the exercise of such measures should individuals find a more rigid system adopted than in calmer & better times might be complained of yet the necessity of such must now be apparent to all and the Agent will meet decidedly with his Sovereign's approbation and indemnity from a discerning public

"Should eventually contingencies occur which might expose you individually to animadversion from such measures we pledge ourselves upon all occasions hereafter to come forward and defend the necessity thereof and we hesitate not to say we will jointly and individually be responsible for any pecuniary deterioration your private resources may sustain thereby

"W Dickson
Js Crooks
John Symington
R. Nichol
Thos Dickson
A. McDonell
Jno. Powell
Jos. Edwards

A. Cameron
Robt. Campbell
Amos Chapman
S. Street
T. Cummings
T. Clark
D. Secord
George Turney
Robt. Grant

"Niagara 8th May 1813."

From General Vincent to General Sheaffe

By that time the squadron which had been employed in the expedition which had taken York had crossed the lake and landed the troops on board at the Four Mile Creek in rear of Fort Niagara, where they were joined by another considerable force transported in boats from Oswego and were encamped in the woods out of sight. The next two days were employed in making arrangements for an attack upon Fort George in conjunction with the ships of war which were sent to Sackett's Harbour to bring up reinforcements to make success certain by weight of numbers. The arrival of the fleet could not be concealed from observation and was immediately reported by General Vincent in a letter to General Sheaffe who was then at Kingston.

Fort George, 20th May 1813.

Sir,

"I have to inform you that seven vessels appeared on the lake about sunset last night and this morning we discovered at anchor two brigs and fifteen smaller vessels with each a large batteau.

"At daylight they were seen in the act of disembarking men.

"I have every reason to expect an immediate attack, especially from a movement the enemy made yesterday bringing a strong force from the [illegible] to the fort and the encampment in rear of it.

"At all events I do not think a moment should be lost in giving you the information of this portion of the enemy's fleet being at this quarter.

"I have made no change in the distribution of troops since my return to you of yesterday except that I have ordered the detachment with the six pounder at Chippawa to Queenston.

From the Governor-General to Vincent

Vincent had then received a letter from the governor-general, informing him that Sir James Yeo and other officers with 450 seamen had arrived for service on the lakes and were on their way to Kingston.

"This with smaller reinforcements," he added, "will I hope, enable us to regain our ascendency on Lake Ontario. I am also strengthening the posts in that Province by additional troops and I shall not fail to supply you with whatever you may stand in need of as soon as your wants are made known to me. Under such circumstances I trust I may rely upon a continuance of your best exertions for repelling any attempt of the enemy upon your frontier & for preventing them from gaining a footing in the Province."

From Prevost to Vincent

After writing in these terms from Montreal Sir George Prevost went forward to Kingston where he received Vincent's reply and wrote to him again

"Kingston, 24th May, 1813.

"Sir

"I was early this morning honored with your despatch of the 19th inst.[4] The confidence you repose in the steady zeal and high spirit animating every individual on the frontier committed to your charge is highly gratifying as such feelings cannot fail in producing the glorious result you anticipate from the attempts the enemy may make upon your position. In ten days our fleet will be ready to go forth to dispute the ascendancy on Lake Ontario with the enemy unceasing exertions have led to this state of forwardness in our naval preparations. I am much mistaken if Commodore Chauncey is not over matched. Our little fleet will consist of the Wolfe carrying 4 68 lb. carronades and 14 18 lb. long guns. The Royal George, the Moira, the Regent and Sir Sidney Smith are as well manned

"You will on all occasions express frankly your sentiments upon all subjects connected with the important duties you have to perform and in return you will find in me a readiness to remove or alleviate the difficulties you have to contend with to the extent of your reasonable expectations from the scanty resources His Majesty's Government have hitherto placed at my disposal.

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[4] This letter is printed in the "Documentary History," 1813, pp. [illegible]

From Sir Geo. Prevost to Capt. Norton

Vincent had reported that Captain Norton "whose anxiety and zeal for the public service is so constantly conspicuous," was encamped on his left towards the lake with about one hundred Indians and Prevost wrote to Norton on the same day a private letter to stimulate his efforts.

Kingston 24th May 1813.

"Sir

"It is with very great satisfaction that I have heard from different quarters the high commendations which have been passed upon your courage and activity since the commencement of the war with America. I earnestly recommend to you a perseverance in the same well example which you have hitherto afforded to the brave warriors whom you have brought into the field and a continuance of your exertions to keep up and to increase the numbers of a description of force so truly formidable to the enemy and so capable of sustaining the good cause in which we are engaged.

Accept my thanks for yourself and those whom you lead and the assurance that I will take every opportunity of making known your exertions in the cause of your Great Father to His Royal Highness the Prince Regent

From Gen. Vincent to the Officer Commanding at Kingston

At the end of a destructive bombardment of his position and in anticipation of an immediate attack by an immensely superior force Vincent addressed a letter to the officer commanding at Kingston

Fort George 26th May 1813.

"Sir

"I have to inform you for the information of the Commander of the Forces that the whole of Commodore Chauncey's fleet are at anchor off the American Four Mile Creek

"They commenced a cannonade on our fort at daylight this morning and I am sorry to state that every building in the fort is at this moment burnt down except the place that was formerly the magazine and the new casement. The town has as yet escaped their fire but I expect to hear every moment that they have opened their guns against it.

"I am fully confident that it is the intention of the enemy to attempt making a landing this night or to-morrow morning on my right and left and I understand from a deserter who came over last night that the order was out for the attack to take place this morning and to have two days provisions

dressed for that purpose. I also understand from this man that the enemy's strength is to be between seven and eight thousand.

"I have therefore to hope that troops are on the way to my assistance.

"Everything that is possible shall be done for the support of this place, but if I am overpowered I shall take up a central situation and wait there for the support I have every reason to expect from Kingston.

"I have at this moment received the Adjutant General's of the 16th inst. and as I am much hurried I have requested Colonel Myers to write him fully on the present situation of this post."[*]

From Sir Geo. Prevost to the Duke of York

Vincent's letter of May 20 was a principal factor in inducing Prevost to attempt a diversion in his favor by making a premature attack on Sackett's Harbour for which his means were inadequate and failed to gain complete success. Soon after his return from that adventure he learned that Vincent had been forced to retreat and made a report on the subject in a letter addressed to the Duke of York, the Commander in Chief.

Head Quarters, Kingston, U. Canada, 3rd June, 1813.

"Sir

"I had the honour of informing Your Royal Highness in my despatch of the 1st inst. of the appearance of the enemy's fleet off Niagara, & of the effect of the cannonade of their ships & batteries on Fort George. I have now the honor of acquainting Your Royal Highness that on the 27th ulto. the enemy succeeded in effecting a landing about two miles from that fort under the fire of their shipping & batteries with a force so very far superior to any that we could bring against them that notwithstanding the most gallant & determined resistance on the part of His Majesty's troops under the command of Colonel Vincent he was unable to maintain his position on that frontier & obliged after falling back upon Queenston, to retire with the whole army which he had collected from Chippawa & Fort Erie to the head of the lake.

"I have great satisfaction in stating to Your Royal Highness that by the report of Colonel Vincent I find that this part of the frontier was not abandoned until every possible exertion had been made to retain it & until the forts & batteries

had been rendered at least for a time a useless acquisition to the enemy by their destruction and that of the ammunition which could not be carried away. Notwithstanding the unequal contest which was so long and so gallantly supported by a handful of His Majesty's troops against an overwhelming force the army has not been very considerably weakened by the loss they have sustained & they were enabled to retire without molestation from the enemy to a position at the head of Lake Ontario where Colonel Vincent will endeavor to make a stand until I shall have it in my power to reinforce him or until circumstances shall oblige him further to fall back. Conceiving that the appearance of the fleet under Commodore Sir James Yeo off the position occupied by Colonel Vincent might give additional consequence to his troops I have embarked the remainder of the 8th Regiment, consisting of about [illegible] men with which & a supply of clothing, ammunition & provisions the fleet sailed this morning.

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[*] This letter is printed in the "Documentary History 1813," but unfortunately misdated May 10 pp. 207-8

I sincerely regret that I cannot add to this despatch a report of the arrival of any portion of the troops announced to be on their way to Quebec from Cadiz, Malta & the West Indies."

(C 1220 pp 385-6)

Extracts from the Quebec Gazette

The undaunted spirit that still continued to animate the small body of men under General Vincent's command, in the face of very alarming losses is well shown in a brief account of the battle of the 27th May published in the Quebec Gazette on Thursday July 7.

The following extracts are from a Letter of an Officer of rank in the gallant division of the army under Brigadier Gen Vincent dated 31st May.

"Our little division has taken up a fine position near the head of Burlington Bay which Brig Gen Vincent proposes to occupy until favorable circumstances allow to our gallant little band resuming offensive operations. The conduct of the troops engaged on the 27th was beyond all praise and probably few instances are to be found in Military annals where 700 men so resolutely opposed 7000 supported by a tremendous fire of shot and shells from the shipping which extended upwards of two miles along the coast taking all the streets of the town. Yet under these disadvantages our gallant detachment advanced in line on the plains in the hope that the great disparity in numbers would induce the enemy to make a similar movement but the shower of shot and shells in which they alone trusted was their only return.

After a full hour's halt we deliberately and proudly fell back upon Queenston, where being joined by the detachments at Chippawa and Fort Erie, under Lieut.-Col. Bishop, we marched upon this position. The movements of the troops were performed with the coolness and precision of a parade. The Militia behaved most gallantly, and have by their subsequent conduct evinced in the strongest manner, that if there are some bad subjects among us, that there is still a preponderating majority of men zealously devoted to their country's cause. The best spirit and confidence in our ultimate success prevails. The enemy have spread a report of an intention of what he calls intercepting us. If he attempts it here, he will perhaps catch a Tartar. His Ship Guns will avail him nothing against our bayonets."

From Gen. Vincent to the Adjutant-General

On June 4 Captain Robert McDouall, an aide-de-camp to the Governor-General, arrived from Kingston at General Vincent's headquarters at Burlington Heights, with instructions to him that if he was forced to retreat toward Kingston to detach a considerable portion of his regular troops to reinforce General Procter at Detroit. Later in the day he received a report from his outposts which induced him to believe that an attack would be made upon his position and in a hasty letter to the adjutant-general he remarked: "As circumstances are at present I am determined if possible to be beforehand with them."

Prevost's Reply

This letter was received at Kingston three days later and Prevost promptly encouraged him to take the offensive.

"Kingston 7th June 1813.

"Sir

"Concluding that the presence of our flotilla near your present position with the arrival [illegible] of fresh troops and such supplies as could be procured here will have had the best effect I recommend your taking immediate measures for harassing the enemy with your Indians supported by Light Infantry and militia thereby depriving them of the opportunity of exhausting a country you will soon I hope be enabled to re-occupy.

"I send you Major de Haren as an officer well qualified for the execution of such a service. He is accompanied by 250 Indians who are supported by detachments from this garrison. You must organize a corps for this service and the sooner you bring forward the warriors the less disposition will be manifested by them for returning to their villages.

"As soon as Sir James Yeo returns I will make arrangements for the transport of the 2nd Battn. 41st Regt. and additional stores and salted provisions.

"Altho' the want of cooperation from the navy and the smallness of the force employed prevented us from obtaining complete success at Sackett's Harbor, still I have had the satisfaction to learn that with the naval stores the sails and rigging of the new vessels were destroyed in the conflagration. This circumstance will cause a delay in the preparations for increasing the American flotilla."

(C. 1221, p. 139.)

From Prevost to the Duke of York

Before this letter was written Vincent had begun his offensive by a night attack upon the enemy's encampment at Stoney Creek which inflicted such loss upon them that they began a hasty retreat next morning. This was accelerated by the opportune appearance of Yeo's squadron on the lake on their flank. Prevost described these events in an official letter to the Duke of York.

"Head Quarters, Kingston, Upper Canada, 15th June, 1813.

"Sir,

"I have great satisfaction in communicating to Your Royal Highness the successful result of an attack made by a division of the army under Colonel Vincent upon the advanced camp of the enemy on the 6th inst., in which British valor and enterprise were most conspicuously displayed, the particulars of which affair are detailed in Colonel Vincent's report, I have the honor to transmit to Lord Bathurst.

"After the retreat of Colonel Vincent from Fort George on the 27th ult. before an overwhelming force which it was not possible with his small numbers to resist he took up a strong position at the head of Lake Ontario. The enemy having pushed forward a very considerable body consisting of 3,500 infantry, 250 cavalry and 8 or 9 pieces of artillery evidently for the purpose of attacking Colonel Vincent's division, he most judiciously determined upon anticipating them by attacking their camp about eight miles distant. This was accordingly effected a little before daylight on the 6th instant

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* See "Documentary History of the Campaign on the Niagara Frontier in 1813," Part II, pp. 5-14.

by detachments from the 8th & 49th Regiments, consisting of 700 men under the command of Lieut. Colonel Harvey the Deputy Adjutant General. The enemy were completely surprised and after a short tho' severe action driven from their camp with the loss of three guns and one brass howitzer. Two brigadier generals, the first and second in command, and upwards of one hundred officers and men were made prisoners. Our troops having returned to their cantonments with their prisoners and two six pounders, all that they had the means of bringing away, the enemy broke up their encampment and retired with the greatest precipitation to the 40 Mile Creek, from whence I have the pleasure of informing Your Royal Highness, they have since been driven by the appearance of the squadron under the command of Sir James Yeo off that post and by the approach of a body of 400 men pushed on in advance under Major Evans. From this last position the enemy retired in such panic and confusion that they left in our possession the whole of their camp equipage and considerable quantities of stores, provisions, boats, &c. By the last accounts of them they had retreated to Fort George where they were concentrating their forces having evacuated Fort Erie and Chippawa."

(C. 1220, pp. 399-400)

Extracts from the Richmond Enquirer

Two letters published in the Richmond Enquirer of 23rd June and 3rd July 1813 written by officers in the United States army describe the same events from an opposite point of view.

"Camp at Fort George June 9th, 1813.

"I walked down to the beach yesterday morning to see some English prisoners brought up in boats the night before from a place called Forty Mile Creek. They are very clean, smart looking fellows.

"General Chandler had taken the command before our army was surprised by General Vincent. Our camp they say was very badly and loosely laid out. The British advanced silently with fixed bayonets, not a musket was allowed to be loaded for fear of blowing their design. Some officers and men advanced at some distance ahead of them, who hailed, amused and stabbed some of our sentinels pretending to give the countersign. The advanced guard was first alarmed by hearing the dying groans of a sentry who had been run through. Five pieces of light artillery were seized and fired against our troops.

"The regiments in the centre and rear never got to the

assistance of those in front. The 16th Regiment when formed was broken through by our cavalry that had cut its way through the 49th British Regiment and could not stop. Owing to this and the darkness some of the companies engaged their own men.

"The inhabitants hereabouts are almost altogether very inimical to the Yankees—the men would scalp them and the women of Newark are loyal enough to eat their hearts and drink their blood. I do not believe wolves are more cruel if they dared. I wonder that the men are not deprived of all the arms in their houses and prevented from going at large. Several of them are married into Indian families and are captains among the savages. Carr[4] (Kerr) Norton,[5] Dickson,[6] and Ferguson[7] and other Scotchmen are in this predicament. Instead of giving liberty to such wretches who have murdered many a Yankee, I think they ought to be hung up. But the three first named are with the English army or the Indians. Many cruelties committed by these and other white men in Indian dress are charged to real Indians. I hope these villains will be put to death and their estates confiscated. We can never trust them.

"There is a number of Yankees here from Grand River—they came to obtain parole and say that if our army leaves them, they dare not return to their homes for fear of the Indians. Norton and other Scotch chiefs have lists of suspected Yankees whom they will plunder and murder without remorse. What distresses our friends have suffered for refusing to take the oath and perform militia duty is incredible. Some died in jail and others have been robbed of their property by being fined eighty dollars at every draft. I pity them and I am surprised that General Dearborn (as our officers are) has confirmed the old magistrates in their appointments who used to oppress and imprison and pillory our American adherents. This conduct annoys us but I suppose General Dearborn has some reason to it.

From a Captain in the 20th U.S. Infantry

The second letter was written by a captain in the 20th United States Infantry who was present at Stoney Creek.

"Fort George, June 10th, 1813.

"On the first of June General Winder with his brigade left this fort in pursuit of the enemy who had retreated to the head of Lake Ontario. On the 5th in the evening we drove in the advanced guards of the enemy and approached within seven miles of the position they had assumed for defence. We encamped for the night [illegible] disposed in various and distant detachments and too much scattered for a prompt co-operation in case of an attack. On the morning of the 6th at 2 o'clock while darkness still overspread the horizon we heard a firing when the attack was made and a few minutes after the [illegible] yells of the enemies. The 5th Regiment and two companies of the 20th consolidated with it amounting to 250 effective men under the command of Lieut. Colonel Milton had taken the precaution to extinguish the lights of its fires and lay under arms on the place it was to form during the night and in one minute after the alarm was heard, was prepared for action. General Winder ordered this regiment to proceed to the point of attack, which movement was immediately executed and the action commenced between it and the enemy at distances of between 20 and 100 yards. The firing was maintained for some 15 minutes when the enemy was repulsed and we were ordered to take a position to secure our flank in case of a repeated or additional attack. A company of artillery was stationed not far from the right of the ground we originally occupied and at the moment of our withdrawal was ordered to cease firing under an impression that the whole of the enemy had retreated but a party of them had suddenly [illegible] taken possession of three pieces of cannon and when Chandler and Winder reached the spot they discovered [illegible] too late to prevent their capture. The [illegible] party of the enemy approached under cover of the darkness after our firing ceased and were not discovered until they ordered a charge with bayonets. It is reported that General Winder addressed the enemy saying 'Come on my brave fellows, they are routed.' The 5th Regiment remained [illegible] until daylight impatiently waiting for orders. No one could conjecture what had become of the Generals. At length it was concluded they were taken prisoners and Colonel Burn of the light dragoons assumed the command. At this time there were the 5th Regiment and about 200 of the troops on the field well formed and highly [illegible] and the 13th and 14th Regiments were on their march to join them. Colonel Burn called a council of war and it was determined to be expedient to return to 40 Mile Creek about 10 miles in our rear to procure supplies of ammunition and provisions which were nearly exhausted and our boats had been ordered there. This measure was disapproved by almost all the platoon officers who wished for an immediate and vigorous pursuit but as Colonel Burn was an experienced officer and the enemy had probably got too much of a

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[4] William Johnson Kerr [5] John Norton [6] Robert Dickson [7] John Ferguson of Kingston

[illegible] to be overtaken on that day, the proceeding perhaps was prudent though not agreeable to my feelings nor glorious to our arms. Many stragglers however, would certainly have been taken. As a proof of the disorder of the enemy the British General Vincent was missing so long that a flag was sent for his body, supposing that he had been slain. He had lost his hat, was dismounted, and wandered a considerable time in the woods. There were but few Indians with the British and the latter set up the savage yell before the attack was made. This artifice was unworthy of regular troops and it excited no other sentiment but contempt among our soldiers. Though we have not completely effected the object of our expedition up the lake, the surrender or destruction of the enemy's force, the coolness, collected and determined intrepidity of many of our troops have been conspicuously displayed and they have acquired valuable experience to be applied in future operations of the army.

"We have endured every hardship and privation, the officers in common with the soldiers. We have borne hunger, thirst and loss of sleep, we have endured the extremity of cold and heat and have frequently laid upon the wet ground in the open air and sometimes in vain to seek the necessary repose.

Generals Boyd and Lewis joined us at the 40 Mile Creek and had made every preparation for again pursuing the enemy when a peremptory order was received from General Dearborn to return to Fort George, it being apprehended that the British fleet, which now appeared, would take on their troops and attack the place. On the morning of the 8th we accordingly commenced a retrograde in good order and at our leisure. The enemy's fleet made an attack on our boats and effected the destruction of them and all our company and personal baggage. On this retreat the men were so much fatigued that whenever a halt was made they dropped down to rest in the ranks. Myself and Captain Randolph of the 20th have been attached to the 5th Regiment and thus fortunately have had an opportunity to engage in action. I had only two men wounded and Captain Randolph three. The regiment had several more men wounded but only two of them mortally. The enemy's fire is always rapid and less effective than ours. They lose over five times as many as we do. They had 120 killed and wounded and we had about thirty.

Colonel Proctor has just arrived with a reinforcement and we shall have another battle in a few days.

Memorandum of Major Plenderleath's Services

After the death of Major Plenderleath, at the request of his widow, Colonel James FitzGibbon, who had served with him for many years in the 49th Regiment, prepared a memorandum of his services from which the following is an extract.

"On the 27th of May 1813, the American army crossed the Niagara River and drove the British from Fort George & from the whole frontier up to Fort Erie, the several frontier detachments were united at the Beaver Dam, some 10 miles back from the frontier & thence retreated towards Burlington Heights at the head of Lake Ontario. The American army soon followed and on the evening of June 5th, bivouacked for the night at Stoney Creek within 3 or 4 miles of the British. Later in the evening the British commander determined on attacking the Americans before day on the following morning & for which purpose his small force, about 700 bayonets, was countermarched & whilst it was yet dark, commenced the attack. The enemy, about 3,000 strong, flew from around their fires in the open farm grounds where they were sleeping and formed out of view in the rear & commenced a heavy fire of cannon and musketry, while the British endeavored to form in the extreme darkness upon unknown and rough ground, covered with rail fences, fallen trees and stumps, soon fell into inextricable confusion and broke & fell back into the surrounding woods. Major Plenderleath, who was with that part of the force which formed on the high road, soon discovered what was passing on the partially cleared ground on right & left, at once decided on charging the guns in his front on the road, then beginning to fire upon him. He called aloud for volunteers to follow him, upon which a young Scotch sergeant named Fraser, only 19 years of age, sprang forward, followed by about 30 men & led by the major they charged the gunners, killing & dispersing every one of them. At this moment the 2 American Generals Chandler & Winder rushed forward followed by some of their [illegible] & men, but they were received on the points of the bayonets of our soldiers who took the 2 Generals with 3 other officers and 75 men prisoners. These they brought off together with 2 of the field pieces of which there were 4, but 2 of them had to be left behind for want of men to drag them away. The major's horse was killed under him & he was severely wounded. On rising from the ground he laid hold of a soldier who was near him to help him to his feet & soon found that he had hold of an American, but the man immediately surrendered on being ordered to lay down his arms.

In justice to Sergeant Fraser it ought to be stated he stabbed 7 Americans & his younger brother, a lad of 17 stabbed 4. The sergeant also captured General Winder, who was in the act of raising a pistol to fire at him but Fraser promptly put his bayonet to the General's heart & commanded him to throw the pistol down, which the General did and surrendered. Fraser is now (1 January, 1854) a half pay lieutenant and a colonel of militia in Upper Canada.

"The major thus brought off his prisoners & guns & in the retreat was joined by scattered troops, who were soon by returning daylight enabled to find their way back from the surrounding woods to the road.

"After the capture of the American Generals the officer next in command of their army, being but a militia colonel & without experience, deemed it most safe and prudent to march his troops back to Fort George & there await the arrival of Major General Dearborn, who was then on his way from Washington to take the command in chief on the frontier.

"The advance thus made by Major Plenderleath saved that small army & consequently most probably the whole of Upper Canada. For had it not been so made the Americans would have maintained their ground till daylight when they would have discovered that our force was dispersed in the woods and liable to be made prisoners in detail as they issued from thence to the high road individually or in small parties."

From Prevost to Vincent

Vincent was so much encouraged by this success and the arrival of reinforcements that in a letter written to Colonel Baynes from the Forty Mile Creek he announced his intention to advance and attempt to retake Fort George if Yeo would co-operate with his squadron which had gone down the lake.

In reply Prevost advised caution:

"H. Q. Kingston 18 June 1813

Sir,

The Adjutant General has communicated to me the letter you addressed to him on the 14th inst., wherein you express a determination to push forward and retake Fort George provided Sir James Yeo would co-operate with his squadron in the enterprise.

Although I approve the energy and applaud the valour which has been so conspicuous in the Centre Division of the Army of Upper Canada, still I cannot allow you to dissipate your force needlessly at a moment when the concentration of it entire with the reinforcements which are moving toward

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you a combined operation upon the positions occupied by the enemy on both banks of the Niagara River, might be undertaken with a well founded expectation of success. However, to preserve unabated the ardor which glows in the troops under your command and with a view to increase the uneasiness which you represent as existing in the American camp and which might cease by inactivity on your part and become confidence I have made the following arrangements with Sir James Yeo who sailed yesterday for the purpose of intercepting the supplies for the American army moving by water and/or carrying away or destroying the depots of stores collected at Oswego and the Great and Little Sodus together with all the vessels and boats he could get at, but in the event of the wind not favoring this design, then the Commodore is to proceed direct for Niagara and after having communicated with the British Commanding Officer of the troops, it is proposed, if circumstances are favorable, that the ships of his squadron should anchor opposite to the enemy's camp at the Four Mile Creek for the purpose of cannonading it and, if advisable, of landing such of the troops and the marines he may have on board at the time to countenance and support [illegible] on the enemy [illegible] Fort George which is to be made by your light troops and Indian warriors which if feebly resisted by the enemy and producing signs of confusion and dismay, may be followed up by the main body to dislodge the Americans from the ground they occupy within His Majesty's territories.

"Sir James Yeo has received on board the Wolfe in specie £500 for the Deputy Commissary General. Brigade Major McLean and Captain Chambers are to proceed from hence in the course of this day as will also Major General de Rottenburg who has relieved Major General Sheaffe. Two companies of the Royals and a detachment of the 104th Regiment have just left Kingston under command of Colonel Stewart."

(G 1221 pp. 153-4.)

Supercession of General Sheaffe

The supercession of General Sheaffe and the difficulties to be encountered in the successful defence of the province were related in a letter addressed to the Duke of York sent to England by Captain Robert McDonall as a special messenger.

"Head Quarters, Kingston, Upper Canada, 23rd June 1813.

"Sir,

"Since I had the honor of addressing Your Royal Highness on the 15th instant the Government of the United

States has not ceased to make every exertion to bring forward a sufficient force to wrest from His Majesty's troops the positions occupied by them at one extremity of a long line of defence while every nerve has been strained by me to maintain and strengthen them. It is therefore probable that the army possessing the power of concentrating and maintaining a preponderating force at the remote points will ultimately succeed. The resources of America for obtaining this object are not only superior in extent and more readily brought out but the comparative risk to which she exposes herself by accumulating a great force on the Niagara line, bears no proportion to the hazard I should incur by a similar movement with the troops under my command, a measure that would unavoidably expose several of our vulnerable points. The two fleets are at present nearly equal, but in this respect also the resources of America for increasing her navy on the lakes are greater in extent and more easily available than those possessed by England. To counterbalance these advantages, however, high discipline and valor are decidedly in our favor. If my observations are correct Your Royal Highness will allow that the chances of success are on the side of America in proportion as her superior resources are suffered to accumulate and grow into so preponderating a force as neither to be checked nor counteracted by valor and discipline. This is the principle which has hitherto guided my conduct. I have acted upon it with some success. I have disappointed the expectations of the American Government of finding Upper Canada an easy conquest as well as in its view of obtaining the fur trade and of obtaining an absolute dominion over the Indians. The support I have received from the General Officers in command since the death of Major General Brock, I am sorry to say has not always corresponded with my expectations. Circumstances indicating an insufficiency on the part of Major General Sir R. H. Sheaffe to the arduous task of defending Upper Canada, have induced me to place Major General de Rottenburg in the military command and civil administration of that Province which measure will I hope meet with the approbation of His Royal Highness the Prince Regent and that of Your Royal Highness. Except Sir John Sherbrooke the Lieutenant General is the only General Officer of high character and established reputation serving in the army in the North American Provinces to whom I would entrust the important duty without embarrassing myself with it to the prejudice of the other possessions of His Majesty committed to my charge.

"Your Royal Highness will I hope pardon my lamenting the detention and delay experienced by the Regiment de Watteville going to Halifax previous to their coming to Quebec altho I am satisfied His Majesty's Government adopted this precautionary measure from some decided opinion which it had received upon the subject, still I cannot but regret it as the consequence of so circuitous a route, when all dangers from ice in the River St Lawrence had ceased, that I have been deprived of the services of this valuable corps at the critical period when the enemy reckoning upon their numerical superiority, were induced to make a third serious attack upon Upper Canada, with means amply sufficient for the enterprise with an improved army, better organized, better disciplined, and more ably commanded. I expect to be joined by that regiment in the course of the next week, and then I shall feel enabled to undertake some offensive operations calculated to cripple and destroy the enemy's marine resources, by the success of which I can alone hope to maintain the position I at present hold in Upper Canada.

"I feel truly gratified for the interest Your Royal Highness has been pleased to take in the naval concerns of this command. It is, however with regret I inform Your Royal Highness, that I have been compelled to dismantle the batteries at this post for the purpose of arming the vessels lately built on the lakes in consequence of the disappointment I have experienced in the arrival of the carronades I had demanded for that service both from England and from Nova Scotia.

My aide de camp, Captain McDouall will have the honor of delivering to Your Royal Highness this dispatch. He is an intelligent deserving officer and well qualified particularly from having lately been with the different divisions of the army on the frontier and personally engaged in several of the actions to give any information respecting the state of the Provinces which Your Royal Highness may require from him."

Controversy Over Fighting

In accordance with Prevost's instructions of the 7th June Vincent advanced with his main body to the Forty Mile Creek and sent forward an advanced guard to the Twenty Mile Creek under Lieut Colonel Bisshopp to occupy the road junction there. From this force Major de Haren with two companies of the 104th, the light company of the 8th King's, a newly organized company of Incorporated Militia, and two small troops of Provincial dragoons, was directed to occupy the site of the present city of St Catharines, where three roads branched off leading to Niagara, Queenston and Chippawa. Lieut. James FitzGibbon with a company of picked men from the 49th Regiment was sent forward on the road from the Twenty Mile Creek to De Cew's falls to occupy t stone house at that place. The whole body of Indians numbering nearly five hundred were instructed to form their camps in the woods nearly midway between de Haren's and FitzGibbon's positions to be in readiness to support either, while Bisshopp could advance to the assistance of either with nearly equal facility, or they could retire upon his command. De Haren established outposts at the crossings of the Ten Mile Creek on the roads toward Niagara and Queenston. Scouting parties were sent out on the roads leading to the river to gain intelligence and arrest persons suspected of sympathy with the enemy. On June 24 a detachment from the invading army advancing against FitzGibbon's station was surrounded and compelled to surrender.

The field of action in this combat was so extended and in many places so thickly wooded and on the part of the victors so many detachments were acting independently under different officers that considerable misunderstanding occurred and prolonged controversy ensued in after years. Besides FitzGibbon's party of the 49th which had actually taken little part in the fighting although its opportune appearance in the enemy's front at a critical moment and its commander's adroitness and audacity had induced the surrender, a large body of Indians from Lower Canada under Captain Dominique Ducharme and other French Canadian officers, and a smaller number of the Six Nations commanded by Captain William Johnson Kerr and his cousin, Lieutenant John Brant had been actively engaged and part of a troop of Provincial dragoons had taken possession of the road by which the enemy had advanced and menaced their retreat. The officers commanding these parties not unnaturally believed they had not received sufficient credit for their exertions.

Extracts from The Quebec Gazette

Two accounts of the battle evidently written by well informed local residents were published soon after in the Quebec Gazette.

"THE QUEBEC GAZETTE

"THURSDAY, JULY 15, 1813.

Montreal, July 6.

"Immediately after the gallant affair of our advance on the 6th ultimo Lieut. Fitzgibbon made application to General Vincent to be employed separately with a small party of the 49th Regt. and in such manner as he might think most expedient; the offer was accepted and this little band has since then been constantly ranging between the two armies. Many events would naturally grow out of such a service, which would be very interesting, but are necessarily proscribed in our limits of the tale, and we will confine ourselves to two very extraordinary occurrences. About the 20th ult. Lieut. Fitzgibbon went in pursuit of 40 or 50 horsemen, mounted cavalry, brought over by a Doctor Chapin from Buffalo, and who was for some weeks plundering the inhabitants around Fort Erie and Chippawa; he came near to them at Lundy's Lane, about a mile below the falls, but he discovered that they had been joined by 150 infantry—his force was about 44 muskets—he did not think it advisable to attack them, and therefore his party was kept concealed. He however rode into the village at the end of the lane, dressed in grey, to reconnoitre—he could not perceive the enemy. Mrs. Kirby,[*] who knew him, ran out and begged him to ride off, for that some of the enemy's troops were in a house at a short distance—he saw a horse at a door, and supposing there were none but his rider in the house, he dismounted and approached it, when an American soldier advanced and presented his piece at him; he made a spring at him, seized his musket, and desired him to surrender—the American resisted and held fast—at this instant a rifleman jumped from the door with his rifle presented to Lieut. Fitzgibbon's shoulder, who was so near to him that he seized the rifle below the muzzle and pulled it under his arm, keeping its muzzle before and that of the musket behind him. In this situation, Lieut. Fitzgibbon called upon two men who were looking on, to assist him in disarming the two Americans, but they would not interfere; poor Mrs. Kirby apparently distracted, used all her influence but in vain. The rifleman finding that he could not disengage his piece, drew F.'s sword out of its scabbard with his left hand, with the intention of striking at Lieut. F., when another woman, a Mrs. Dunfield,[†] seized the uplifted arm and wrested the sword from his grasp; at this moment an elderly man named Johnson came up and forced the American from his hold on the rifle, and Lieut. F. immediately laid the other soldier prostrate; a young boy of 13 years old, son of Dr. Fleming, was very useful in the struggle which continued for some minutes. Lieut. F. thus rescued, lost not a moment in carrying off his two prisoners and the horse, as the enemy's forces were within 200 yards of him, marching to a house round a turn of the road.

At 7 o'clock in the morning of the 24th, ult., Lieut. F. received a report that the enemy was advancing from St. Davids with about 1000 men and 4 pieces of cannon to attack the stone house in which he was quartered at the Beaver Dam, about an hour afterwards he heard the report of cannon and musketry, he rode off to reconnoitre, and found the enemy engaged with a party of Indians who hung upon his flanks and rear and galled him severely—Lieut. F. dispatched an Officer for his men and by the time of their arrival the enemy had taken a position on an eminence at some distance from the woods in front, he estimated the enemy's strength at 600 men and 2 field pieces, a 12 and 6 pounder. To make the appearance of cutting off his retreat, Lieut. F. passed at the charge step across his front to gain his other flank, under a quick fire from his guns, which however did not the slightest injury. He took post behind some woods, and saw that the Indians were making very little of the enemy and it would have been madness in him with 44 muskets to dash at them across open fields, where every man he had could be so easily perceived. Many of the Indians were at this time taking themselves off and he began to think of his own retreat; he had a hope however that Colonel De Haren would soon join but fearing that the enemy would drive him off or make good their retreat, he determined to play the old Soldier, and summon the enemy to surrender. He tied up his handkerchief and advanced with his bugle sounding the "cease firing", a flag was sent to him by a Capt. McDowell of the Artillery.—Lt. F. stated that he was sent by Colonel De Haren to demand their surrender, and to offer them protection from the Indians, adding that a number had just joined from the North-west who could not be controlled, and he wished to prevent the effusion of blood. The Captain went back to the commanding officer Lt.-Col. Boerstler, and soon after returned saying that Col. B. did not consider himself defeated and could not surrender. Lt. F. proposed that Col. B. should send an officer to see Col. De Haren's force, when he would be better able to judge of the necessity. He soon returned with a proposal that Col. B. should himself be shewn the BRITISH, and if he found the force such as to justify his surrender he would do so, to this Lt. F. said he would return to Col. De Haren and state Col. B.'s proposal. The real intention of shewing the enemy's officer our small force never existed but appearances must be kept up, in order to carry on the farce. On Lieut. F.'s return, he found Capt. Hall[1] with 12 Dragoons just arrived, to whom was communicated what had passed and Capt. Hall immediately assumed the rank of Colonel for the purpose. On this Lieut. F. returned and stated that Col. Hall now being the senior officer on the spot did not think it regular to let the current see his force, but that it was perfectly ample to compel the surrender, and from motives of humanity, five minutes would be allowed for acquiescence; and if refused, hostilities would commence at the expiration of this period. Col. B. agreed to surrender on condition that the officers should retain their horses, arms and baggage, and that some militia and volunteers (among whom were Dr. Chapin and his marauders) should be permitted to return to the States on parole. When the extent of our force is considered, it is no wonder, that these conditions were immediately acceded to. Lt. F. at this moment most fortunately met with Col. Clarke of Chippawa who came galloping up and who proceeded to assist him in disarming the enemy, as Col. Hall could not appear and his only officer (an Ensign) must remain with the men. Col. Deharen immediately afterwards appeared with the flank companies of the 104th Regiment, and the whole affair was soon settled, thus putting into our possession 26 officers, one 12 and 6 pounder, two tumbrels and two waggons and above 500 prisoners, including about 20 Dragoons. Had not Col. Deharen arrived at that moment this large number of the enemy would have yielded to 43 soldiers of the 49th regt. for all the arrangements were made previous to the arrival of that officer. The Indians behaved well; they killed and wounded during their skirmishing about 50 of the enemy. We are informed that at the moment of the summons being sent many of the enemy had gone off. The number of Indians engaged did not exceed 80. Thus terminated a bloodless victory on our part. If promotion and reward await the Officer selected to be the bearer of dispatches announcing an enemy's defeat we cannot doubt but the hero of this achievement will receive that favor from his Sovereign to which his services have established so just a claim, and who we believe has no other patronage but his own distinguished merit."

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[*] Wife of Captain (afterwards Colonel) James Kirby, of the Second Regiment of Lincoln Militia.

[†] Sarah, wife of Edward Dunfield.

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[1] Captain John Hall, of the Canadian Fencibles, Inspecting Field Officer for militia cavalry

"THE QUEBEC GAZETTE

THURSDAY, JULY 29, 1813.

"Montreal July 17

"Extract of a letter, Flamborough, Upper Canada, June 20th 1813.

"The loss of another division of about 700 men and two pieces (a 12 and a 6 pounder) of cannon seems to have determined the enemy to remain close in their place, where I am sorry to say the conduct of their Generals, their officers and men has been disgraceful in the highest degree to the inhabitants who had returned to the place upon repeated promises as well general as particular that their property would be respected and protected. Plunder is however the order of the day, and what is worse, the personal liberty of all the inhabitants has been taken from them except a very few indeed, who were always suspected and who have now openly joined the enemy. You will not be surprised when you learn that the Editor of the late Guardian [illegible] led the American army in pursuit of [illegible]; when you recollect the matter with which its columns were usually filled—another also an Irishman, is seen at the head of almost every party of depredators who too frequently visited the interior of the country until lately. To the honor of Niagara be it said that General Dearborn has been heard to express his deep regret and sincere disappointment that so few of its inhabitants should have sought protection under the wings of the American eagle and the keen disappointment he feels may have goaded him on to the disgraceful and mad step he has committed. In sending off to Greenbush those that he could get hold of amongst whom I am sorry to enumerate the names of Edwards, Muirhead, Dickson, Symington, Lawe, two Kerrs, M'Ewan, [illegible] Addison, Powell, Heron, Green, Baldwin, Clench, Jones, Ball, Decou, & John Crooks. Mr Lawe, M'Ewen, & the two Kerrs, were wounded in the battle of the 27th past and I understand no means of conveyance is furnished them on the road, unless at their own expense. I had the good fortune to escape this [illegible] from the circumstance of my [illegible] about [illegible] back in the country whither I had removed my family immediately after the attack on York took place; twenty-five mounted riflemen were however sent after me but having caught a glimpse of them a short distance from the house I had time to effect my escape into the woods and the next morning at day break I proceeded for this place, leaving Mrs very unwell and family exposed to the brutality of a set of miscreants unequalled in the annals of the world. However I hope a just vengeance will one day take its course soon and that they will be severely retaliated upon for all their enormities, one part of which I must not omit namely their confining of 23 of our soldiers taken on the 27th in a dungeon who are to be dealt with in the same manner that an equal number of Irishmen taken at Queenston and at other places in arms against their Sovereign and who very properly were sent to England last fall."

"The following account of the action, between the Indians and Americans, on the 24th ult was written by a Gentleman who witnessed the affair addressed to his friend in this city:

"I beg leave to inform you of the gallantry and coolness displayed by the Cognawaughe, Lake of the Two Mountains and St Regis Indians under orders of Captain Ducharme

Lorimier, Gamelin and Lieutenants Le Clair, Evangeliste St. Germain, and Langlade, in the action which was fought on the 24th inst at 12 mile creek. Their military prowess deserves the highest encomium. At 7 o'clock in the morning our brave Indians perceived that the enemy was approaching upon our advanced posts and notice was given to Colonel De Haren by an officer of the department but he would not believe it. The officers of the Indians department went to meet the enemy with our gallant warriors and entered into an engagement that lasted from eight to twelve o'clock, unassisted by regular troops and only aided by three men of the incorporated Militia, who came on, and Capt. Kerr and Lieutenant Brant with 15 Agniers[*] Indians. The enemy was three times hardly repulsed with great fright and loss.

"Their force consisted of 700 foot, 100 horses, 50 riflemen, and 3 pieces of ordnance.

"Some of the riflemen made their escape but the remaining part of the army not being able to get out of the hands of our brave Indian-warriors was left a prey to their valour, when the Colonel came on and concluded a capitulation with the enemy. In order to assuage the wrath of the Indians, Captains Ducharme and Lorimier were obliged to repeat what Col Claus had promised to them that they would be put in possession of the spoils and horses of the enemy. The Americans lost about 100 foot, 15 horses killed and 600 prisoners, with all their artillery and baggage.

"The loss of the Indians consisted of 7 men killed and 16 wounded."

Extract from The Niagara Gleaner

A letter dated 10th July 1818 published in the Niagara Gleaner on 16th July of the same year contains the following interesting statement:

"Here the Indians of Upper Canada do not appear to have been so hotly engaged as those from the Lower Province sent by the Commander of the Forces to assist in defending our country, for the people of the Grand River had only one Delaware killed, the Chippewas from Matchedash also one killed of their warriors, while the whole amount of the loss of the Indians in that affair I think amounted to nine men."

From Colonel Harvey to Captain Kerr

Captain William Johnson Kerr was extremely discontented on finding that he had not even been mentioned in official correspondence and continued to press his claims for recognition for many years. In 1818, he had addressed a memorial to the Duke of York Commander in Chief of the Army, in which he enclosed letters from FitzGibbon, Major Evans, and Colonel Claus, supporting it, which are printed in Volume VI of the Documentary History at pages 119-121 He had written at the same time to Colonel (afterwards Sir John) Harvey, then acting as Adjutant General in Canada, who gave him faint encouragement in the following letter

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[*] Mohawks

Head Quarters Quebec,
4 April, 1818

"Dear Sir

"I fear the time is past for making any representation with any prospect of advantage on the subject of your letter

"His Royal Highness the Commander in Chief as well as His Majesty's Ministers can only form their judgment on Military events in remote parts of the world from the Official documents and reports which they receive through the Established and regular channels of communication. These have given considerable credit to Captain Fitz Gibbon for his conduct and address in the affair at the Beaver Dams & you will assuredly be told that if you considered the merit which of right belonged to you on that occasion had been given to another, you ought to have made your representation at the time when the facts could have been investigated by competent judges on the spot My advice to you, however is as you state it to be your intention to proceed to England, to apply personally to General Vincent who held the command at the period to which you refer (who never intentionally injured any human being I am certain) and in whom I am persuaded you will find every possible disposition to do all that may be in his power to place your really gallant, zealous and useful services during the late War in the light which they merit I beg you to make whatever use of this Letter you may think proper and to believe me Dear Sir to be &c

J Harvey

"Captain W J Kerr
"(late) Indian Department.

From Kerr to Earl Bathurst

Kerr's application was unsuccessful Seven years later he prepared a second memorial stating his case in different terms addressed to Earl Bathurst who had been Colonial Secretary since 1812

"Your Lordship's Memorialist was at the capture of Fort Niagara Lewistown Fort Schlosher Black Rock and Buffalo on the Enemy's Shores, was also in the battle of Chippawa under Major General Riall in which action Your Lordship's Memorialist was made prisoner and detained until peace took place when the department was reduced.

"Your Lordship's Memorialist was in the mercantile business previous to the late War in this Country and from his connections and influence with the Six Nations of Indians was selected by Major General Sir Isaac Brock and Colonel Claus, Deputy Superintendent General of Indian Affairs to accept of a Captaincy in the Department, from which circumstances the property of Your Lordship's Memorialist was taken and destroyed to a large amount wherever it was found and in consequence your Memorialist has suffered very material injury.

"Your Lordship's Memorialist begs leave to refer to the Letters transmitted herewith in corroboration in some degree of the above statement. Had he ever been as solicitous to procure certificates of his conduct during the late War in this Country as he was zealous to further His Majesty's Service, he would have been enabled to lay before Your Lordship more satisfactory proof of his claims to Your Lordship's consideration.

"Your Memorialist therefore humbly prays Your Lordship to take his case into consideration and to recommend him for a pension or half pay agreeable to his Rank from the period of his discharge from the Department which was on the 24th day of December 1815 or such other compensation as to Your Lordship may seem meet and as in duty bound will ever pray.

William J. Kerr
"late Captain Indian Department

"Burlington Bay
Upper Canada
12 October 1825"

This memorial was forwarded to Colonel Claus as Deputy Superintendent General of Indian Affairs at Niagara for transmission to the Lieutenant Governor.

Certificate from Claus

Besides copies of letters from Major Evans and FitzGibbon a certificate from Claus was enclosed written on the anniversary of the action at Beaver Dams in 1818.

Fort George U Canada
"24 June 1818.

"I do hereby certify that Wm. J Kerr Esquire late Captain in the Indian Department commanded a party at the

Western Indians and Six Indian Nations in an action with the Enemy commanded by Lt Colonel Butler on the 24th day of June 1813 near de Cou's Beaverdam when the whole of the American force were captured with two pieces of ordnance Tumbrils &ca. None were engaged with the Enemy that day but the above Indians and about 180 of the 7 Nations from the Province of Lower Canada.

"W Claus, Dy Supt General.

In his letter forwarding these papers Claus considered it necessary to point out an error in the memorial

"Fort George

"12th December 1825

"Sir

"I have the honor to transmit herewith a letter from Mr William J Kerr addressed to me and dated the 12th inst. covering several documents which he requests that I will transmit to His Excellency Major General Sir Peregrine Maitland K.C.B.

"I feel it my duty to correct a statement made in Mr Kerr's memorial that he was appointed by the late Major General Brock. He was appointed at my request by the late Colonel Myers who then commanded on the frontier in the absence of Major General Sir Isaac Brock who was then at Detroit. I have no doubt but Mr Kerr believes the appointment was made as he stated

I have the honor to be &c

W Claus, Dy Supt General.
Indian Affairs.

"Major Hillier
Secretary to His Excellency
Major General Sir P Maitland

The memorial then forwarded differed considerably from former statements and boldly claimed the entire credit of defeating the enemy and forcing them to surrender. The Lieutenant-Governor made no recommendation

From Maitland to Earl Bathurst

"Upper Canada.
York 15th December 1825

"No. 204.
"Miscellaneous.
"My Lord,

"At the request of Mr William Kerr formerly a Captain in the Indian Department in this Province I have the honor to forward to Your Lordship his memorial praying for half pay on account of his services in that capacity during the late War. This memorial is accompanied by several certificates and by a representation from the head of the Indian Department in the Province.

I have the Honor to be, &c

P. Maitland.

"The
"Earl Bathurst, K.G.
&c. &c. &c.

"To the Right Honorable Earl Bathurst, Secretary of State for Colonial Affairs &c. &c. &c.

"The Memorial of William Johnson Kerr, Esquire, of the District of Gore in the Province of Upper Canada and late a Captain in the Indian Department,

"Most respectfully sheweth

"That Your Lordship's Memorialist was appointed Captain in the Indian Department at the commencement of the late War between Great Britain and the United States of America by the late Major General Sir Isaac Brock and served under the following Officers, viz. Major General Sir Isaac Brock, Major General Sir Roger Hale Sheaffe, Major General Vincent, Lieutenant General Sir Gordon Drummond, Major General Riall and Colonel Claus of the Indian Department and was in most of the actions fought on the Niagara frontier.

"That your Memorialist had the honor to command about five hundred Indian Warriors on the 24th day of June 1813, and attacked a much larger force of the Enemy under the command of Colonel Boerstler and obliged him to surrender after a severe engagement of two hours in which action were captured about six hundred prisoners of the Regular Army two field pieces, one six and one twelve pounder, two Baggage waggons, two tumbrels, five hundred stand of small Arms, forty horses and a stand of Colours, on which occasion there was not a single cartridge expended by His Majesty's regular forces, neither were there a single soldier or militia man killed or wounded.—That Major Genl. Vincent in his official despatch of that affair gave the whole credit of the affair to Lieut. Fitzgibbon of the 49th Regiment when in fact it was due to your Memorialist and the Indian warriors under his Command as will appear evident to Your Lordship from the Letters of Sir John Harvey, Depy. Adjutant General at the time as well as that of Captain FitzGibbon himself who commanded a small detachment of the 49th Regiment consisting of about fifty men who were not in the action although they arrived at its close. The report of the Battle transmitted by Your Lordship's Memorialist to Colonel Claus, Deputy Supt General of Indian Affairs was not noticed by Major General Vincent in his official dispatch. Your Lordship's Memorialist begs leave to refer to Lieut. Colonel Bisshopp's report of that action as is copied in the Annual Register for that year. Your Lordship will perceive from the Letter of Colonel Evans, (then Major of Brigade) that the favorable result of that action effectually checked the Enemy's marauding parties along the Niagara frontier to the great relief of the inhabitants, His Majesty's subjects."

Letter from James FitzGibbon

More than two years later, probably in compliance with a request from Captain Thomas Coleman, who had commanded the Montreal troop of Canadian Light Dragoons, FitzGibbon acknowledges the service rendered by a party of his men at the Beaver Dam:

"York, Upper Canada,
26th April 1828.

"I served in Upper Canada during the late American war and have seen something of the services of the troop of Provincial Light Dragoons raised in Lower Canada by Captain Coleman. On the 24th of June 1813, a detachment of that troop arrived most opportunely in front of a detachment from the American Army whose commanding officer I was then negotiating terms under which the detachment was to surrender themselves prisoners of war. The detachment did surrender and I have no doubt that the appearance of the cavalry had a favorable effect and contributed to make them surrender. The number of the enemy exceeded 550 men including about 50 dragoons with two guns, tumbrils, waggons, &c. The British troops present at the moment the terms were agreed upon consisted of a detachment of the 49th Foot under my command not quite 50 men and about 20 dragoons of Captain Coleman's troop with a body of Indians. From this force the American detachment might without difficulty have retreated had they known its amount and the direction of the roads in the vicinity.

"The other services of the troop I did not witness but of the character of its commander and the conduct of the troop I had often heard favorable mention made.

James FitzGibbon,
then Lieut. in the 49th Regt."

From FitzGibbon to Sir John Colborne

Four years afterwards when seeking preferment from Sir John Colborne, who had succeeded Sir Peregrine Maitland as Lieutenant Governor of Upper Canada, FitzGibbon presented another memorial giving a detailed account of his military services in the war.

"EXTRACT FROM A MEMORIAL FROM JAMES FITZGIBBON TO SIR JOHN COLBORNE, DATED AT YORK, 4th JUNE, 1832."

"Humbly sheweth,

"That Your Excellency's Memorialist was Lieutenant & Adjutant in His Majesty's 49th Regiment, at Montreal in Lower Canada, when the Government of the United States of America declared War against Great Britain in the year 1812. That desirous of being employed in the most active service he solicited leave to resign his Adjutancy and was, by the authority of the Commander of the Forces, permitted at once to give up the duties of that office, whereupon the Commanding officer of his Regiment placed him in command of a company. That he was forthwith employed to escort a Brigade of Boats, 24 in number from Montreal to Kingston with ordnance stores of great importance to the Posts in Upper Canada at that Crisis. That this service was successfully performed and on returning to Montreal he found his Regiment under orders for Upper Canada and proceeded with it back to Kingston. That in January following he was selected to conduct to the Niagara Frontier a Brigade of 45 Sleighs with Stores, where he arrived on the 18th of that month, and was four days afterwards detached with the company under his command to the most distant out post dependent on Fort Erie. That after the action at Stoney Creek in June following he applied for and obtained leave to select a Detachment of 50 Chosen men—to be employed in advance of the Army and with authority to act against the enemy as he pleased and on his own responsibility solely. That he advanced from the Army at ten o'Clock at night of the same day on which he made the application, having during that day selected the Men for his detachment and transferred the company he commanded with their accounts to another officer, and on the 24th of the same month aided by a body of Indians he captured a chosen Detachment of the Enemy sent out from Fort George expressly to capture your Memorialist and his small Detachment, which Detachment of the Enemy consisted of upwards of 550 men of whom 50 were cavalry, with also two Field

Pieces a six and a twelve pounder, and four Tumbrils and Caissons. That for this successful operation His Royal Highness The Prince Regent was graciously pleased to promote him to a Company. That during the remainder of the War he was constantly in the advance parties of Militia frequently under his command except during short periods in Lower Canada whither he was sent three times during the War. That during the Operations on the Niagara Frontier in 1814 the Lieut. Colonel and the Major of the Incorporated Militia were successively wounded and sent to the rear and after the departure of the last wounded of those officers, Sir Gordon Drummond was pleased to appoint your Memorialist to the command of that Corps, which command he held during the remainder of the operations before Fort Erie and until the Lieut. Colonel was so far recovered as to resume his Command when your Memorialist returned to his Company. That in February following he was sent from Kingston to Quebec to recruit from limited service men then in that City waiting the opening of Navigation to be sent home to be discharged: but the ratification of the Treaty of Peace being announced he was sent back to his Regiment in Upper Canada; having under his command one hundred men who had volunteered and who were marched by him over the Snow to Kingston. That in the year 1816 the Regiment into which he had been promoted was disbanded and he was placed on half pay."

This was accompanied by a copy of a letter from Sir George Prevost and a memorandum by Sir John Harvey commended his conduct very warmly.

From Sir George Prevost to James FitzGibbon

"Head Quarters — Kingston
"29th June 1813.

"Sir

It is with much satisfaction I take up my pen to acknowledge the high sense I entertain of your distinguished conduct in the management of the affair which terminated in the surrender of Colonel Boerstler's detachment from the American Army on the 24th Instant.

The impression under which I address you cannot leave a doubt in your mind of the nature of my disposition towards you and of my intention of submitting the detail of your services to His Royal Highness The Commander in Chief's consideration.

I have the honor to be &c.

George Prevost.

"Lieut. FitzGibbon
"49th Regt."

Memorandum by Lieut.-Colonel John Harvey

"Lieut FitzGibbon was permitted to select the Men for this service and their conduct proved the discrimination evidenced in the Selection; both with respect to the Enemy and towards the Inhabitants their conduct was admirable.

"The Lieutenant himself displayed most valuable qualities as a Partisan Officer and the detachment in every respect fully answered the purposes for which it was formed.

"J. Harvey
Lt Col D.A.G

"Kingston Upper Canada
"20 December 1814."

(From copies attached to FitzGibbon's Memorial to Sir John Colborne of 4th June, 1832.)

The want of necessary supplies had prevented Vincent from advancing with the main body of his small division as he was obliged to rely almost entirely upon the resources of the adjacent country for subsistence and transport. Acting on the advice of the magistrates in their recent addresses he had, with apparent reluctance and misgiving, published a district order announcing that martial law "shall immediately come into effect as far as supplying the wants of the army under any plan or the sending away or apprehending all traitorous or disaffected persons may render expedient."

From J. C. Harries to George Harrison

The loss of provisions and military and naval supplies destroyed in the magazines and storehouses at York and Fort George was reported to be serious and extremely distressing as they could only be replaced by precarious shipments from England at an uncertain date. This is shown in a letter from J. C. Herries dated at the Commissary in Chief's office in London on the 31st July and addressed to George Harrison, secretary to the Treasury Board.

"I have the honor to state to you for the information of the Lords Commissioners of His Majesty's Treasury that Mr Robinson in a letter dated Quebec 19th ultimo reports his having received Letters from Depy Asst Commissary General Crookshank at York apprizing him that the Army under General Vincent has been obliged to retreat and had taken up a position at the Head of Lake Ontario and that in consequence of the Army's Retreat from Fort George Mr Crookshank apprehended that most of the supplies at that place had fallen into the Enemy's hands

"Mr. Robinson also adds that from other Sources of Information he had learnt that the Sloop of War on the Stocks at York with all the Marine Stores for completing her in building, rigging, &c. were burned."

From Hon. John Richardson to Simon McGillivray

The gloom and depression caused by these reverses were very forcibly described in a private letter to Simon McGillivray, then in London, dated at Montreal on 7th June, 1813, and probably written by Hon. John Richardson, a member of the Legislative Council of Lower Canada, and a partner with McGillivray in the North West Fur Company and later the reputed author of "The Letters of Veritas."

"The first ships from Quebec are to sail on the 10th Inst., at least a month later than I expected, for I thought our Government would have been solicitous to send off a vessel early with an account of our political situation, which must excite a little interest even in England.

"Since the Navigation opened in April the enemy has carried on his operations unmolested for the subjugation of the Upper Province.—The recent surrender of Niagara has gone far towards the completion of his wishes, as we thereby are cut off from all Communication with the Country beyond it and I am very apprehensive that in return for the bravery and gallant Conduct of General Proctor, who has so successfully fought and so repeatedly beat the Enemy, and who with a very [illegible] has hitherto kept possession of [illegible] Territory but that of Michigan his doom [illegible] the prey of an overwhelming force [illegible] supplies of provisions and Ammunition [illegible] save himself if the Indians soon join him [illegible] and uniting with [illegible] head of Lake Ontario but it is dubious [illegible] his position and it is certain [illegible] if we do not beat the Enemy on the Lake [illegible] would enable the Americans to land Troops and cut him off from Kingston which would be a [illegible] blow [illegible] and General Prevost. Our ships here [illegible] supply our little Army with Provisions and Ammunition.

"As attempt may perhaps be made by Genl. Vincent to go to the assistance of Proctor, but it will be a bold measure & [illegible] keeping Detroit &c. must depend on their being strongly supported by the Indians.

"Dickson is expected to arrive at Detroit with a considerable number about this time but I am afraid they they will be inefficient when they find us without supplies and hear of our Disasters lower down.

"As the events that have been passing in this Province since the commencement of the war seem to have excited little or no alarm for our safety It may be that Government will not be a little surprised when they learn what has happened—But that will be singular for the Enemy has proclaimed his intentions, his preparations have been seen and known since October last if not sooner & nothing else could be expected. Believe me that after General Brock defeated Hull and render'd abortive the designs of the American Govt. on the breaking out of the American War, every misfortune which has befallen us has arisen from the infatuation of our own Government in not sending Troops and a few sailors to the Province & rendering not only unavailing but injurious to us (by exhausting our small force) the very victories that we have so hardly and with so much difficulty obtained.

"At the commencement of the War we had on Lake Ontario five fine ships carrying from ten to 20 Guns when the Enemy had only one 18 Gun Brig and four or five paltry schooners Strange however to relate we had not a Sailor nor Captain to command them that had seen a shot fir'd & when sent to capture with our whole Force the Enemy's Brig they ran away because a 32 Pounder was fired at them from the shore and they were afraid it would hurt the vessels It is also a fact that two of our Vessels of 12 & 15 Guns each would not approach a schooner with one gun, and the latter got off in triumph loaded too with Military Stores—When the enemy found us thus despicable they set seriously about recruiting the Navy and had so far succeeded by the end of Oct. that they took all our Merchant ships but one and blockaded our ships of War at Kingston Had Government been pleased during the Summer to have sent us about 250 Sailors to fight our ships the force of the Enemy would have been annihilated, their Ha been render'd useless and they never could have had it in their power to enter into competition with us on the Lakes, where they only had one Port Thus the very foundation of our Misfortunes would have been destroyed for without ships they could not have collected such large bodies of Troops at any given place, nor have made any descent on our side of the Lake nor yet have prevented us from reinforcing as was required such points as they threatened with attack

"But not a Sailor was sent us till the Spring and then they arrived after a most fortunate passage & were sent off with uncommon expedition and exertion they were only 450 in number and the blow was struck beforehand Thus deficiency of Sailors was soon perceived but other causes within our own Control succeeded to distress us. The first was the Armistice between General Prevost and General Dearborn whereby Genl Brock was stopped in the Career of Victory and the Enemy got time to strengthen their Works collect their forces and prepare for us the battle of Niagara in October This sanguinary Contest, in which that excellent and ever to be lamented Officer General Brock lost his life was so favourable for us that the whole of the Enemy were killed or taken & what did his successor, Major General Sheaffe do? He liberated all his Prisoners but the Regulars, & made an immediate Armistice to give them time to collect forces for another attack This they did in the face of our Garrison who could have destroyed their whole fortifications and taken their cannon with only 100 men so reduc'd were they after the Action.

But as soon as General Smyth had collected 6 or 7,000 Men & brought his Boats to a convenient Spot for crossing he inform'd us that the Armistice was at an end, and again attack'd us. He was defeated and their line was subsequently left to the care of about 500 men & could easily have been taken, but as on all former occasions, we were not allowed to attack them. 'We would irritate them and that would unite them,' said some of our wise men, 'and then they would be sure to Conquer us.' The same policy has been adopted by our Government throughout. They have allowed the enemy to Inflict misery on us when and where he chose, and have prevented us from retaliating when in our power. In one solitary instance at Ogdensburg we retaliated and the Governor General's order apologized for it. Till the end of February the whole of the Enemy's Navy lay in Sackett's Harbour guarded by about 500 Men and tho only 40 miles distant from Kingston and at least 2,000 men could easily have been sent over yet the golden opportunity was neglected the Enemy perceived his danger and sent several thousand Troops to guard against it.

From that time they began their preparations which have ended in the capture of our whole line with all our valuable stores Guns, & Provisions at Niagara with the sacrifice of 3 to 400 valuable men & the pillage and ruin of all the Inhabitants in that part of the country. The grand outset at York cost them (the Enemy) 700 Men that of Fort George near 3 to 400 so that they have not obtained a bloodless Victory.

Another and very serious piece of misconduct on our part was the building of a new ship (a Frigate) at York where there was neither fortifications nor Troops to defend it and where it would be destroyed without the Enemy's landing. There was not a man in the Country besides them who laid it down that did not predict that it would be burnt on the opening of navigation & such was the unhappy fate of that ship, that had it not been burnt it was next to certain there was not water to launch it or soil that would support the ways, the tides do not rise in Lakes and a deep marsh is not well calculated for supporting a heavy weight. It would also have been necessary that we should be Masters of the Lakes to be enabled to transport to York the Guns, Anchors, Cables & other materials and if previously Masters of the Lake there was no occasion to build that ship. The expense of building there was also double what it would have been at Kingston, where it would have been in company with the rest of our Ships and in perfect security.

"This ship, which if we had Guns and Sailors, would now have been ready to go out would undoubtedly have made us complete Masters of the Water, and the want of it may not only occasion our defeat but endanger or even cause the loss of Upper Canada.

"With such ships as we possess Sir Jas Yeo sailed from Kingston to assist General Vincent on the 3rd Inst. and if Com Chauncey with his 19 sail against our six feels bold, a battle must very soon take place. I have all the confidence in Sir James that his high character deserves and hope success, tho' the odds in ships, Metal and Men are much against him. I am not yet of opinion because the American Frigates have beat ours that we are not superior to them and tho Chauncey is deemed a good Officer I think Sir James is at least his Match. A drawn battle will not suit us for the Enemy can soon recruit both ships and Men but we cannot. We have only a Schooner on the Stocks, they have a Frigate.

"If Chauncey does not come out till the new Frigate is ready which will be in a month we shall be badly off for he will then have a superiority we cannot oppose. We ought in such case to send 3 or 4,000 men down to Sackett's Harbour and I am confident that with the assistance of our fleet we will destroy them. If we can do that we may recover Niagara but I am afraid we can not do it otherwise.

"Indeed it would be folly to attempt it with less than 4,000 Regulars assisted by our Fleet, the Militia and Indians.

The Americans have at least 10,000 men on our side and can destroy Batteries, carry off Guns, and render the Post untenable but by superior numbers. If the Enemy beats our Fleet we must try to keep Kingston which will be difficult to do as they can cut off the communication between that place and Montreal, and prevent supplies from being forwarded

Thus our situation is not the most agreeable, and we have little prospect of its being better. A great part of the intended reinforcements for this Country is to come from Halifax, yet strange to say tho' the Troops were there since March if not sooner, none of them have yet appeared altho' the Sailors arrived from Europe a month ago.

"Those from Cadiz have not arrived nor any others but 1500 men from Ireland partly raw Recruits. One would really imagine the Govmt expects this extensive Country is to be maintained against the population of the United States by a handful of men for if only 6,000 Troops come out this year they may indeed with the sacrifice of every comfort of the Inhabitants and of their ordinary pursuits enable us to defend the Lower Province, but as to acting offensively it is a mere farce.

"The Enemy will be much elated with his late success, and will readily get as many Volunteers as he chooses to molest us in the Upper Province and threaten us here. This will divide our small force and render it inadequate to any enterprise.

"I shall not be surprised if in the course of three or four weeks we have 8 or 10,000 men on our lines.

"An alarm was given us the other day when two of their Armed schooners of 11 Guns each attacked four Gun Boats we have a little beyond Isle aux Noix. We luckily took them and they will be of great service to us on Lake Champlain where we had not a Vessel.

"We are in general very badly off for intelligence of the Enemy's operations because economy will not admit the expence of obtaining it while on the other hand we have a considerable number of Americans residing in the Province who give their Countrymen all the information they can wish. The business of York has given such a disgust to General Sheaffe that he never can have the least influence in that Province. The Enemy not only got the public Stores there but we did not remove the Military Chest in which there was £2,500—the Royal Standard was left but fortunately must not have been found by the Enemy and we think was consumed with the Government House and what may be more injurious to us still, no part of the correspondence of Government or any of the confidential papers were removed. The Enemy got them all and a portion of them will very probably hereafter decorate the Columns of the American Gazette—I shall say nothing of the manner in which the defence of the place was conducted as opinions are divided but it is very harshly censured.

"To come to our actual situation, I shall confine myself to observing that nothing but a Naval Victory can save any part in the Upper Province above Kingston, and if we are beat the latter place as well as the whole of that Country must I fear fall.

"The system hitherto pursu'd of not attacking the Enemy however fair the opportunity, has been our ruin and if continued must involve us all in distress & cause our subjugation—Should we fortunately obtain a decided Naval Victory we shall probably be able to drive the enemy out of the Upper Province as we need not keep a strong garrison at Kingston and our whole force may be directed to one point. I am not without hopes of success and am convinced that Sir James Yeo will beat them if anybody can They have at least 1600 good sailors which is more than double our number.

"But we are not disheartened as the disposition of the People is good & both by Water & Land we shall give many hard blows before we surrender The 8th Regiment has suffered severely in the Actions at York & Fort George, and the officers in General have borne their share of the Misfortunes of the day None of our Friends at Niagara are kill'd."

(Q 125 pp 97-100)

From McGillivray to the Secretary of State

Mr McGillivray transmitted the above extract from his friend's letter to the office of the Secretary of State for War and the Colonies in a covering letter dated at Cannon Street on August 10 in which he made some significant comments.

"In corroboration of my correspondent's observations," he wrote "I can state one fact which may perhaps not have come to your Lordship's knowledge—On the very evening before the Action at Queenston (Niagara) in which General Brock fell he wrote a letter to a friend in Quebec expressing his decided disapprobation of the system of forbearance by which he was prevented from crossing the River to destroy the means which the Enemy were preparing (actually in sight) to attack him when and where they thought fit—He complained bitterly that his hands were tied up—wished that he was employed with Lord Wellington or on any service or under any circumstances different from those in which he was then placed—On the following morning he was attacked and fell and with him fell the best hopes of the people of Upper Canada.

"I shall not further intrude upon your Lordship's attention than merely to express my earnest hope that effective succours may be sent to Canada before the close of the Season—Seamen and Marines for Lake Erie and Lake Ontario are particularly and indispensably requisite if Upper Canada is to be defended and the defence of that province remote as it is, is so necessary to the interest of this Country and the honor of the Crown, that a doubt cannot be entertained as to the intentions of His Majesty's Government upon the subject.

"If Lake Ontario was accessible to ships from the Atlantic Ocean I have no doubt that a sufficient portion of His Majesty's Navy would be sent thither to destroy any Force which the Enemy could collect and the question now is shall a sufficient number of Men without the Ships be sent thither for the same purpose?

"I am perfectly aware," he took care to add discreetly, "that the comments of private individuals upon public measures are frequently liable to error from their being not sufficiently informed of all circumstances of the case, or the consideration which may have led to the adoption of the measures complained of, but in the present instance I have occasion to think that the universal opinion in Canada accords with the observations made by my correspondent upon the impolicy of the system of forbearance, by which the American Forces upon the Frontiers of Canada have been suffered to accumulate and collect for the Invasion of that Province, which have now made them so formidable and which since the opening of Navigation they have employed with so much effect."

(Q 125 p. 85-6)

Lieut.-Colonel Cecil Bisshopp

Encouraged by the unforeseen and amazing result of the fight at the Beaver Dam, Vincent immediately advanced his headquarters to the Twelve Mile Creek and sent forward strong outposts to the line of the Four Mile Creek on the lake shore road, at the Cross Roads and at St. Davids, where they found comfortable quarters in the mills and farm houses. Cattle, sheep and pigs were taken without immediate payment and slaughtered for food out of sheer necessity and horses and waggons impressed for transport. General de Rottenburg arrived on the last day of June with a small reinforcement and assumed command. This increase of force aggravated the difficulties of maintenance as a small transport loaded with provisions and ammunition destined for its supply had been captured by the enemy. But the line of outposts was strongly reinforced and extended to Queenston in the expectation of cutting off all local means of supply from the invading army. The baggage of all ranks was cut down to the lowest point. An officer of the Royal Scots informed his wife that "an officer is allowed more than he can put under his arm and run with on all occasions."

An attempt to interrupt the enemy's line of communication on the opposite side of the river had then become practicable and early on the morning of July 5 the small post at Fort Schlosser was taken by surprise. The same day a scouting party of the enemy was driven across the river at the Fort Erie ferry and an attack upon Black Rock was reported practicable by FitzGibbon. This was successfully carried out on the morning of July 11, but heavy loss was sustained in re-embarking. Lieutenant Colonel Cecil Bisshopp, who was in command, received three severe wounds, which at first were not considered dangerous. They proved fatal five days later and his death was felt to be an almost irreparable loss. During his few months of service he had become generally admired and respected by all ranks among the militia as well as the regular soldiers. He was the only son of Sir Cecil Bisshopp, baronet, who afterwards became Lord de la Zouche. He had already served with credit in Flanders, Portugal, and Spain and had been elected a member of the House of Commons for Newport in the Isle of Wight. His death at the early age of twenty-seven was scarcely less lamented than that of General Brock. He rests under an altar tomb in the graveyard on Drummond Hill and his portrait has been selected as a fitting frontispiece to the present publication.

FitzGibbon's Statement

A written statement by FitzGibbon preserved among the papers of Bishop Strachan shows that he claimed great credit for planning these operations.

"On the declaration of war by the United States Government I resigned my commission of Adjutant of the 49th Regiment in the hope of being employed on detached service as opportunities might occur. I was immediately detached with an Escort in charge of a Brigade of Boats to Kingston in July and from thence in January following with a Detachment to Fort George.

"From the vicinity of Fort Erie I was called in to join the army retreating from Fort George on the 27th of May 1813.

"After the affair of Stoney Creek I requested the general to detach me in advance of the army with 50 men to be employed at my discretion—the request was granted and in twelve days after I captured Colonel Boerstler's Detachment of the enemy.

"The Americans having been confined soon after to Fort George, I was sent to the Fort Erie frontier to protect the inhabitants from the plundering parties frequently sent from the enemy's shore. On the night of the 3rd of July I planned an attack on the Posts of Black Rock and Schlosser to be carried into execution on the night of the 4th. Boats could not be procured to cross to Black Rock whither I had marched on the night of the 3rd. I then determined to cross in a small skiff with Colonel Burwell and Lieut Wm. Kerby of the Militia, volunteers for the occasion, and burn the Block House and Navy Buildings behind Squaw Island. At the same time I sent Ensign Winder and Volunteer Thompson of the 49th Regt. to Chippawa with a note to an officer of the militia, who had just arrived there with 30 men, requiring him to proceed under the direction of Mr. Winder and attack Schlosser at Daylight next morning. Col. Clark had happened to meet Mr. Winder on his arrival and was pleased to approve of my plan and he took command of the party himself. He took the place, making Prisoners two officers and a few Men and brought away four large Boats, a Brass Field Piece, and a considerable quantity of small arms and other Stores.

"The wind blowing fresh during the night made it impossible for me to cross to Black Rock the skiff being too small.

"Notwithstanding that the enemy now knew I was on the Frontier, I determined again upon attacking Black Rock, having procured boats from below. Two days afterwards I had everything in readiness when Colonel Bisshopp came up and informed me that he had obtained the General's leave to attack it himself and that my Detachment was to compose part of his. Arrangements being made He attacked it on the 11th my Party leading the advance. I was in possession of the place before he came up, his boats having been carried far down in crossing the River. The result of this affair is well known.

(Ontario Bureau of Archives Strachan Papers Package Q)

From Major Fulton to Sir George Prevost

An unpublished letter to Sir George Prevost from Major J. F. Fulton, one of his aides-de-camp, who had been sent as his representative to de Rottenburg's headquarters, shows that desertion had become exceedingly frequent:

12 Mile Creek 27th July 1813

"I am extremely sorry to inform Your Excellency that the desertions from this army lately have been very great. No less a number than thirteen men from the 104th Regiment, four of whom belong to their flank companies. In consequence of the shameful conduct of this corps, the Royals have been sent to relieve them. Three men have also deserted from the 41st Regiment, one of whom has been taken and is to be tried this day."

(Dominion Archives, C 1024, p. 24)

General de Rottenburg was a stern disciplinarian trained in a foreign army. He was not inclined to treat such a crime lightly. The private of the 41st who had been taken on his way to the enemy was tried, found guilty and sentenced to be shot to death. The sentence was instantly approved and carried out next morning in the presence of as large body of soldiers as could be assembled to witness it. A few days later five men of the 104th and a private of the Royal Scots, also taken in the act of deserting, were tried, found guilty, sentenced, and shot in the presence of many of their comrades. Desertions then became rare.

When he had relieved General Sheaffe of the military command in the province, de Rottenburg had taken the oath as President of the Executive Council and Administrator of Civil Affairs, in the presence of as many of its members as could then be assembled and announced the fact in a proclamation from Kingston on June 19. The arrival of the governor-General and the establishment of his headquarters at Kingston a few days later created an anomalous situation.

DeRottenburg supplemented Vincent's limited proclamation of martial law by another appointing certain magistrates as commissioners to take charge of the grain and livestock on farms abandoned by their owners or tenants, who were supposed to have joined the enemy and dispose of such property to the best advantage for the subsistence of his army.

From Thomas Dickson to Edward MacMahon

A letter from Thomas Dickson of Queenston, one of these commissioners, to Edward MacMahon, the civil secretary, has survived.

Thorold, 21st July, 1813.

"Sir,

"I am this moment favored with yours of this date and shall go out this evening and consult with Messrs. Street, Clark & Cummings who are at present the only Magistrates left in this part of the District and will either answer your letter more particularly thereafter or take the first opportunity of waiting on His Honor Major General de Rottenburg to give every information I am able respecting the number of meat cattle in the District of Niagara."

(C 686, p. 68)

From Chief Justice Scott to General de Rottenburg

To remove any doubt of the validity of such proceedings, Chief Justice Thomas Scott had been consulted and the advice of a committee of the Executive Council obtained. This was given in a letter from Chief Justice Scott to General de Rottenburg.

"York, July 13th, 1813

"Sir

"The Acting Attorney General has signified to me as Chairman of the Committee of the Executive Council by desire of Your Honor that after the possession of a part of our frontier in the District of Niagara by the American army, many of the inhabitants disaffected to our Government joined the enemy & that some of them have left large crops of grain almost ready for harvest that unless some measures are speedily taken, will be altogether lost. He has also signified that Your Honor desires the Committee of the Executive Council to suggest some method by which you may be enabled to secure for the benefit of the public the produce of the lands thus treasonably abandoned.

"The Committee after serious consideration beg leave respectfully to submit that if it is inexpedient to commit to any of the military departments the carrying into effect the measures proposed, the plan suggested by Your Honor ought to be adopted in appointing Commissioners in the districts where the inhabitants have so deserted their lands to report upon the cases that do occur, to make the necessary arrangements for the preservation of the grain, to appreciate its value and receive and answer any claims that may arise by reason of the execution of these powers.

"The Committee beg leave further to submit as their opinion that the Commissioners ought to be appointed by Your Honor from the Magistrates of the Districts where the lands so deserted are situated."

(Sundries, Upper Canada, 1813)

From John B. Robinson to Edward MacMahon

A letter from John Beverley Robinson, the acting attorney-general, to Edward MacMahon contained a draft of a proclamation and gave further legal advice.

"York, July 23rd, 1813

"Sir

"In obedience to His Honor's desire signified in your note of the 20th instant I enclose draft of a proclamation upon the principles mentioned in the Chief Justice's letter

"At the same time I beg to be permitted to state through you to His Honor that according to my impression of the matter the reference to the Executive Council was merely to obtain the sanction of their advice for the adoption of a measure by His Honor, not precisely consistent with legal provisions, but perfectly equitable in itself and absolutely necessary in the present situation of the country. It could not be expected that although they acknowledged the necessity of the object to be obtained and recommended the adoption of some measure to reach it the Executive Council could furnish the means because any step taken to that end must in some degree anticipate the operation of the law and of course cannot be in conformity to its rules. The Council have no other means than the laws afford them of enforcing obedience to any order consequently if they make an order not sanctioned by the law they have no power of enforcing it at all and should a Commissioner in acting under this proclamation meet with opposition he must be supported by the military authorities

"In fact a particular measure highly yet not strictly warranted by law is found absolutely necessary for the supply of His Majesty's troops defending this Province. The Executive Council appointed for His Honor's guidance and advice have upon reference acknowledged the necessity and recommended the adoption of a measure to meet it. As president of this Council and as an Act of that Council His Honor cannot enforce that measure. As Commander of the Forces he can. It seems better then for the sake of consistency and propriety and that every department may preserve its proper functions that the measure should expressly originate in that power which only can produce or uphold it

"Upon these grounds I take the liberty of suggesting that instead of publishing the enclosed proclamation His Honor should by a military order or notification, as Commander of the Forces appoint the Commissioners mentioned in that instrument and make such orders for the regulation of their proceedings as he may deem expedient and I am the more free in this recommendation as I observe that the letter of The Hon'ble Chief Justice merely suggests the appointment of Commissioners without expressing by what authority they should be named. His Honor's discretion however will determine and I trust what I have said will be found intelligible and reasonable

N.B.

I take the liberty of sending a form of notification which His Honor may adopt a copy of which or of any more proper that may be chosen should be sent to each person named as Commissioner and several other copies affixed in places of notoriety."

(Sandwich, Upper Canada 1813)

Following this advice a district general order was issued, dated at the army headquarters St. Davids, on July 24 appointing Richard Hatt, Samuel Hatt, Richard Beasley, Robert Nelles, Abraham Nelles, William Crooks, Samuel Street Senior, Thomas Clark, Thomas Dickson, John Warren, Crowell Willson and Thomas Cummings as commissioners to take charge of the abandoned property "to husband the same, to gather in the grain and dispose thereof to the best advantage for the legal claimants."

From Prevost to de Rottenburg

The subject of the punishment of persons arrested for treasonable conduct by martial law was referred to Sir George Prevost as Commander in Chief for his advice, which was given in a letter addressed by him to General de Rottenburg from Kingston on July 28.

"I have had the honor of your letter of the 24th inst., requiring my opinion and advice respecting the mode of proceeding against persons charged with treasonable practices during the existence of Martial Law in the Niagara District. If Martial Law has in fact been regularly proclaimed in the Niagara District I conceive that little difficulty will exist upon this subject, as in that case under the 15th & 16th articles of the 14th section of the Articles of War persons accused of the crimes you mention may be brought before a General Court Martial which you are already authorized to convene and may be tried and punished by it but I have some doubt whether Martial Law does at present exist in the Niagara District to the extent that would warrant a Court Martial to take cognizance of such offences if committed by those persons.

"The declaration of Martial Law by the District General Order published by Brig.-General Vincent and the authority given him by Major Genl. Sir R. Sheaffe was merely for the purpose as far as my recollection serves me, of getting a supply of provisions for the troops and to authorize the seizure of such supplies from persons withholding them.

"If from the circumstance of the enemy being in possession of part of the Niagara District and the danger consequently to be apprehended from the traitorous practices of those who are disposed to favour them you deem Martial Law necessary to be enforced then as President of the Peo one having power to declare it, you ought in my opinion to put that District under Martial Law and thereby to suspend for such time as you may think it expedient, the jurisdiction of the ordinary Courts of Law. When that is done there can, I think, be little doubt that persons accused of the practices alluded to might be tried under the 15th and 16th articles of the 14th section of the Articles of War before a General Court Martial to be assembled in the usual manner."

(C. 1221 pp. 143-4)

The manner in which the commissioners carried out the duties imposed upon them is indicated in the following certificate:

"John Mann having applied for leave to take care of the Stock and grain on the farm abandoned by Ebenezer Kelly in the township of Grantham by virtue of the power vested in us by General de Rottenburg we hereby agree that John Mann should take possession of the Grain & stock on the said farm, and as soon as possible render unto us an account of the same—witness our hands at Stamford 28th August 1813.

"Thomas Dickson J.P.
"Thomas Clark J.P."

(Dominion Archives, Sundries, Traitors & Treasons, War 1812)

The burden of the war bore heavily on all classes of the inhabitants in the seat of military operations in the Niagara District under the limited application of martial law. When General Vincent retired to the head of Lake Ontario on the evening of May 31, he established his headquarters in the house of Colonel Richard Beasley, then commanding officer of the Second Regiment of York Militia. Finding the adjacent lands were a fine defensible position he determined to occupy and fortify them as a depot for supplies and a temporary naval base. It then became known as Burlington Heights.

Beasley was a cousin of Hon. Richard Cartwright and had in early life been an assistant commissary at Fort Niagara. Afterwards he became a fur trader at Toronto but settled at an early date in the township of Barton. He bought a large tract of land on the Grand River from the Six Nations, part of which he had sold profitably to settlers from the United States. He had represented Durham, West York and the first riding of Lincoln in the second parliament of the province, and West York, the first riding of Lincoln and Haldimand in the third parliament. He had been elected speaker in the third session of that parliament and was without doubt a person of considerable importance The claim for compensation which he presented after the war had ended and possession of his farm was relinquished on the first day of September, amounted to £3,475 17/. Halifax currency He acknowledged the receipt of £225 as rent for his house, £75 as rent for his barn, and £168 15/ as rent for his storehouse from the 1st June 1813 until the 1st September 1815.

His Claim was accompanied by the following letter

From Richard Beasley to the Board of Claims

"To the President and Gentn. composing the Board of Claims at Fort George

"Gentn.

"I have thought it necessary to Accompany my Ac't with a letter containing a statement of a few facts which can be Substantiated by most of the Magistrates of the District of Niagara I was in the year 1813 situated on a farm in the Township of Barton in the District of Niagara consisting of nine hundred and fifty Acres of land one hundred and sixty of which was cleared and under fence their was on the premises a Brick House, Barn Store house and Out houses, an Orchard containing two hundred bearing apple trees, a Garden with a number of choice fruit trees, and a Nursery of Young Apple trees I depended on the product of my farm for the support of myself and family which consisted of myself wife and eight children besides servants. My premises on the 1st of June 1813 was taken forcible possession of by his majesty's Troops under the Command of General Vincent the provisions I was then provided with for the Support of my family as well as my crops that were growing was totally destroyed by the Army and I was prevented from Sowing my Buck Wheat & Other Grain myself and family had to leave the premises and seek shelter where we could find it. Shortly after the Battle of Stony Creek which was On the 6th of June 1813 the Army commenced fortifying on my premises the Damage done that they and the Indians who were encamped on my Land and made in my lumber was Astonishing my farm and Buildings are left in a most Desolate Situation the depreciation and Waste of my property at Burlington has been Great will be Admitted I presume by persons who have had personal knowledge of the situation of the premises previous to the War and the state they are in at the present time.

"I am Gentn your humble Servant
"Richard Beasley

"Barton 12th Septr
1815."

From Mrs. Hannah Frey to Lieut.-Gov. Gore

After the advance to the Four Mile Creek the farm houses, barns, mills, storehouses, and buildings of every description, were occupied for military purposes from the lake to St. Davids and ultimately to Queenston. The fences were torn down to permit free movement of troops and were then burned as firewood. Timber was recklessly cut down to form breastworks and shelters or merely to clear the ground in front. The farm belonging to Mrs. Hannah Frey at the Cross Roads became the main position of Vincent's force. Her misfortunes were briefly and pathetically stated in a petition addressed to Lieutenant-Governor Gore dated at Niagara on the 20th February 1816.

"Your memorialist is the widow of the late Captain Frey formerly belonging to the Corps of Butler's Rangers.

"That the said Captain Frey, Husband of your Memorialist, was killed by a Cannon Ball from the enemy's Battery on the 21st of November 1812. She was thereby deprived of the benefit she received from his Half Pay.

"That after your Memorialist experienced so ruinous and melancholy a loss she still derived some relief from the rent of a House in the Town of Niagara until a merciless Enemy destroyed it by fire with the rest of that devoted place.

"And a farm at the Cross Roads in the Township of Niagara which was occupied by His Majesty's troops and Indians from the 17th of July till the 9th of October 1813, during that time they destroyed it by making Batteries, Breastworks and Encampments and burning fences which has rendered it useless ever since.

"That the many severe losses sustained by your Memorialist have reduced her circumstances to the lowest ebb.

"Your Memorialist therefore prays that your Excellency will be pleased to give her such relief by way of a Pension or otherwise as your Excellency in your wisdom may think meet."

This application was supported by a letter from Colonel Robert Nichol, then a member of the Legislative Assembly, who having been Quartermaster General of the militia during the war knew her situation well. It was addressed to William Halton, the Lieutenant-Governor's civil secretary, and dated at York on the 26th February 1816.

"Having been applied to by a Mrs. Frey of the Niagara District to state her case to His Excellency the Lt. Governor I beg leave to observe that Her late Husband Captain Bernard Frey was on duty at Niagara on the 20th November 1812, as a Volunteer & was on that occasion killed by a shot from the Enemy's Batteries

"Captain Frey was on the half pay of the late Corps of Butler's Rangers and was a very loyal & zealous subject— The following year when the Enemy got possession of the country Mrs. Frey was on a charge of sending intelligence to the British Army taken prisoner & sent into the States & when the British army at a subsequent period advanced to the four Mile Creek & encamped on her farm—having destroyed her Fences, cut and destroyed her Meadows & Fields for the purpose of entrenching themselves by which she sustained great injury—Mrs. Frey thinks that on a representation of her case to His Royal Highness, He will be graciously pleased to order her a pension agreeable to the scale for officers' widows & hopes that His Excellency will be pleased to interfere in her behalf."

Losses Sustained by George Adams

George Adams, who was a magistrate and a lieutenant in the First Regiment of Lincoln Militia, had been dangerously wounded in the battle on the 27th May and taken to his home in the small village at the bridge over the Twelve Mile Creek, which had lately received the name of Saint Catharines. When General Vincent advanced to that place his headquarters were established in his house, probably the best available building. His claim for compensation shows that this fact did not save him from the constant demands of a force living on the resources of the country they were engaged in defending.

Statement of Losses sustained by George Adams of the Township of Grantham by His Majesty's Troops and Indians in the year 1813 commanded by General Vincent

"49 sheep killed and Carried away by the Troops and Indians under the Command of General Vincent in July 1813 when on the advance from Stony Creek at 15/ each	£35 11.0
"37 fat Hogs taken from my Distillery at 20/ each	37 0.0
"one Horse Waggon taken by Doctor Thomas for the use of the Hospital (never Returned) on the Retreat in October	15 0.0
"a Receipt given by Mr. Ingham of the King's or 8th Regt. for thirteen days of my team which I afterwards lost and never received Payment for at 15/	9 15.0
	£98. 5.0

A[illegible] retreat of the [illegible] of [illegible] 1813 his known [illegible] the fact that he [illegible] in the militia and [illegible] considered sufficient pretext for [illegible] and [illegible] away as a prisoner of war. Its [illegible] distillery was destroyed.

Statement of damages sustained by a Party of the American Army under the Command of General Porter and Cole. Hopkins to Gen. Adams of the Township of Grantham in the month of October 1813

Two Dispatch Horses which had just come off Duty From Major General Vincent Taken by General Porter upon the 11th October 1813	£ 50.0.0
"Two Saddles and Bridles Ditto	10.0.0
"A Large Distillery with three Copper Stills &c. Burned and Destroyed by a Party of the American Army under Command of Col. Hopkins on the Night of the 19th October 1813	250.0.0
"This Distillery was situate in the village of Saint Catharines in the Township of Grantham and was occupied as a Bakehouse for the use of his Majesty's troops from the time of Genl. Vincent's advance from Stony Creek until the Retreat from the Cross Roads in October	
"Halifax Cy	£310.0.0

ADDENDA

The following interesting contemporary account of the battle of Queenston Heights has been communicated to the editor by the kindness of Mrs. James Brighty of St Catharines. As it contains various particulars of that conflict not found in any other account no apology seems necessary for its reproduction as no copy of the "Bee" newspaper is known to be in existence, and the introductory comments of the editor of the "Gleaner," Andrew Heron, are not uninteresting

Extract from "The Gleaner and Niagara Newspaper," Saturday June 23, 1827 Vol. 10, No 32

"We have inserted from an old copy of a weekly called the "Bee," edited by Mr. Durand, an account of the invasion of this Province at Queenston, during the late war, and containing the manner by which our beloved and much esteemed General Brock came to his death, not doubting but it will be interesting to our readers, although an old story.

"A few copies of the transactions of that uneventful day have been struck off and are for sale by the person who has the care of Brock's monument

"We believe there are few travellers who pass the road from the Falls to this town, but will take the opportunity of enjoying for some minutes the charming and extensive prospect from the platform of that monument We understand that a good telescope has been provided which will add greatly to the delightful prospect

"The extraordinary lenity shown to the Militia prisoners taken at Queenston was very impolitic and we now know had no good effect Had they been taken bravely defending their own country every person would have approved of these measures They would have then been performing a sacred duty but when they volunteered to invade a foreign country they deserved less lenity than regular troops who are obliged to go wherever they are commanded This however was only a continuation of the wretched policy that had been advocated by those who ought to have known better which led to the ruin that followed on this frontier

"Immediately after the declaration of war by the United States General Brock made preparations to take possession of Fort Niagara which it was well known could easily have been done—the works in a ruinous state and only a few men. Unfortunately a Council of War was held at which some of our country gentlemen acted a prominent part and advised the General not to cross the line—the reason assigned was forsooth, that it would irritate the enemy.

"During the time of the Battle of Queenston, it was known that every person had fled from the Fort and although the General was urged to allow possession to be taken he declined. Now we have no hesitation in stating, that had the Fort been taken as it afterward was by the brave Colonel Murray without consulting the T.O. and W.D. and fortified as it afterward was, the Town would not have been destroyed and of course the Frontier on the other side would have been burnt which was a loss to both sides and a benefit to none."

(Reprinted from the "Niagara Bee" of October 24 1812.)

"The unfortunate loss of the brave General Brock, early in the morning of the memorable 13th inst. in the battle of Queenston Heights for a while seemed to overcloud the brilliant rays of victory and the people paused to mourn their country's friend ere public rejoicing for the glorious issue of the day could prevail. The loss is truly great and requires the pen of an able panegyrist to paint it in its proper colours; perhaps it is as well that it has fallen to our humble lot to blunt the poignancy of grief from our inability to portray the numerous virtues of the fallen Hero now lost to the people of Canada—forever lost. General Brock was bold and daring even to excess—utterly regardless of danger—his country's good—the honour of England—the fame of Britain was his leading star—onward he moved, and as he advanced swept in his train a series of gallant achievements to the page of history—terrible in battle—yet a most generous foe—a friend to humanity—he loved the inhabitants of Canada—their interests were his continual study, their rights and privileges his sacred care to preserve—none suffered under his administration—even the guilty wretch sued confidently to him for mercy—can it be wondered then that he is universally beloved, and that he is alike now equally regretted.

"He died in the honourable bed of a soldier—the Field of Glory—peace to his shade—the grateful tribute of many a friendly tear has fallen from the warrior's eye and down the lovely cheek of female beauty in sad recollection of their forever lost friend.

"The morning of the 13th most dreadful retribution was taken on the enemy for our misfortune—the carnage in the boats as they were crossing to invade our shores was horrible—whole boatloads of the enemy were annihilated by the fire of our Artillery and gallant soldiery whilst others overwhelmed with terror took refuge in a watery grave—until about a quarter of an hour previous to the death of General Brock every effort of the enemy to succeed in landing was foiled, except at the extreme point in the Queenston bottom, which from its situation was entirely out of reach of our cannon—at this particular spot they had succeeded before break of day in landing a part of the 13th Regiment and three boats of Militia and even here they were surprised by a detachment of the Head of the Lake Militia and a party of the 49th, who discovered them as day was dawning all formed close under the hill. The enemy received a volley lost six men killed and wounded, and retired to their boats under cover of a steep bank from whence a continued fire was kept up, and returned from our side for about an hour with the loss of one man killed and four wounded.

"It was from under this bank and the ledge of rocks up the river that the enemy first attempted to ascend a fisherman's path up the mountain, shaded by small trees and shrubbery from the view of our troops at the battery and elsewhere, at least until they got up in considerable numbers when they were discovered by a party near the stone house of Mr. George Hamilton and immediate information sent from thence twice, toward the battery, stating the circumstance—the first intimation was unfortunately disregarded and the last when the General himself was notified a small party of about 30 or 40 men were ordered to march with Lieut. Col. McDonnel joined by Major Robinson as a volunteer from the battery along up the mountain to drive them back again—by the time however they reached the summit they found the enemy formed to the amount of about 200 men who immediately commenced firing and from the superiority of their number succeeded in driving our men back and came down on the battery from which General Brock and his small force retreated toward Queenston.

"It was on a small field near to the tavern formerly occupied by one Miller that General Brock received his mortal wound, supposed to have been a musket shot fired from near the battery and which entered below his breast and lodged near his backbone. The brave Chief had rallied his men and was in the act of cheering to a charge part of the Light Company of the 49th & some of the Militia when the fatal ball was received his exclamation was "push on never mind me"—and well did the men perform his orders for notwithstanding the disadvantages of being obliged to ascend the hill exposed to a heavy fire from the top (which by this time was

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Probably Major William Robertson of the First Regiment of Lincoln Militia a step-son of Hon. Robert Hamilton.

covered with troops who had followed up the path before mentioned), and a cross fire from near the edge of the rocks on the river, where they found a fresh reinforcement of them, and who in their turn succeeded in forcing our party to retire on to Durand's and Vrooman's battery, and for a while they remained in possession of Queenston Heights and the Hill battery.

It was in the engagement last named that we regret the loss of Lt. Col. McDonnell A.D.C. to General Brock—he was mortally wounded on horseback, encouraging the men. The Province of Upper Canada by the death of Col. McDonnell has been deprived of one of its most enterprising young men—the discerning eye of the Major General had singled him out, and was training his mind to have become a prominent figure among us—fortune had already begun to lavish her favours, and her dazzling honours flowed thick upon him—he has appeared and passed away from us like a brilliant meteor in the firmament.

"His remains were interred beside his beloved friend and patron General Brock. But to return to our cursory account of the engagement.

"Immediately after the enemy's getting possession of the heights, &c., it was thought prudent to retire on Vrooman's Battery to wait for reinforcements from Niagara. A party of Indians first arrived commanded by Captain Norton, who advanced through the fields towards the mountain, and soon after the appearance of Major General Sheaffe gave new life and spirits to the [illegible]. [illegible] Honour were accompanied by the Aide de Camp [illegible] Col. Coffin[1] Capt. Glegg[2] Capt. Holcroft of the Artillery &c. &c. The most judicious dispositions were [illegible] made; full confidence seemed to inspire both regulars and militia [illegible]; they took the route through the enclosures towards the mountain, having along two field pieces. The Indians [illegible] had brought the enemy to an engagement and gave them a fair sample of what the remainder of the day was to afford them.

These brave tenants of the woods remained on the mountain and kept the enemy in check whilst some of them [illegible] the jutting rocks as a guide to one man [illegible] to ascend most scarcely—nothing could be more formidably impressive. The summit was gained with perfect ease and good order, and the 41st and 49th advanced [illegible] the left flank the Indians and Light Infantry of the 41st, and on their right all the Militia.

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[1] Lieut.-Colonel Nathaniel Coffin, brother-in-law of General Sheaffe ([illegible]), afterwards Adjutant General of the Militia of Upper Canada.

[2] Major John Baskervyle Glegg of the 49th Regiment, A.D.C. to General Brock.

"In this order they marched onward till they reached the point of formation, in a field belonging to Mr. Phelps[1] adjoining the main road from Queenston to the Falls, and then a farther reinforcement joined of Regulars and Militia from Chippawa under the command of Col. Clark[2] and Capt. Bullock.[3]

"The attack now began, the Indians and Light Infantry of the 41st on the right, and the two small field pieces dealing out a most tremendous fire upon the enemy who were in a small piece of woods that skirted the Queenston Camp. It was now that the rash invaders rued their attempt and fled with precipitancy, terror adding wings to their feet, and depriving them of reason. They hurried one another over the rocks and precipices with the utmost consternation, and with a degree of destruction not to be described; the dead, dying and mangled lay in heaps under the rocks, whilst the river received an immense number in its deep bosom.

"A flag of truce from those that remained, begging for quarter, ended the day, and General Wadsworth, Colonel Scott and 71 other officers, together with 853 men were made prisoners of war. The enemy's loss in killed and wounded could not be less than 400 or 500 men, whilst ours, strange to tell, consisted of only 11 killed and 80 wounded; the Indians lost only 5 men and 9 wounded. At any time during the day our force did not exceed 750 men—that of the enemy, from the estimated Buffalo account, was 1300, but we think that it was 1500 at least. To point out any particular officers or men who distinguished themselves in the late contest would be improper, where all did their duty so manfully. It were invidious to remark—the result—the glorious result—speaks too plainly to be misunderstood how nobly each arm upheld its country's cause.

"Shall we omit to return our humble thanks to the God of Battles for His merciful aid on this splendid occasion? Inhabitants of Canada, it is most manifest that the hand of Providence is with us, highly approving the justice of our cause and smiling on our efforts and struggles for our rights and liberties. He—He it is that gives us victory; then let us ascribe all to him, imploring a continuance of His blessings and support—and come, Americans, come in legions of myriads to invade our land and you will find in Canada an untimely grave!

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[1] Probably Elijah Phelps, see Russell Papers, Vol. II, p. [illegible]. [2] Lieut.-Colonel Thomas Clark of the Second Regiment of Lincoln Militia (1770-1837), a member of the Legislative Council from 1815 until his death. [3] Captain Richard Bullock of the 41st Regiment, afterwards Adjutant General of Militia for Upper Canada.

"On the 18th all the American Militia, who were taken prisoners at the battle of Queenston, including the officers (and the wounded men indiscriminately), were sent across the river on their parole not to serve during the war, and even the officers' side arms were returned to them.

"We do not mean to criticise acts of our executive but surely such lenity is not to continue forever! We only wish that the people on the other side may feel that gratitude for such unexampled generous conduct which it merits—no doubt it has been the consideration that the innocent militiamen were actually forced at the very point of the bayonet to cross the river that induced his Honour Major General Sheaffe to take pity on them. It is impossible however, but that such generosity must strike even to their hearts, and when these men return to their peaceful home and hear old England's name abused and vilified, they will raise up involuntarily and deny the charge, and tell the wicked partisans of France, 'tis false and villainous all that you say, for here we stand a living proof of the friendship of the British nation towards our country, and it is your base and insidious policy alone that has heaped such disgrace upon our country, and caused the murder of our fellow citizens."

The printing press, used in the publication of the Guardian newspaper had been sold early in June 1812, to Richard Hatt of Ancaster and his associates, who began the publication of the "Bee," having engaged James Durand as editor. The vivid and circumstantial account of the battle of Queenston reprinted above apparently from the pen of a participant, was probably written by him. He commanded a flank company of the Fifth Regiment of Lincoln Militia recruited near the head of Lake Ontario at the battle of Queenston and his services were favourably mentioned in General Sheaffe's official letter and in general orders. In 1816 he was elected to represent the west riding of the county of York and the townships of Ancaster and Saltfleet in the Legislative Assembly in the place of Abraham Markle who had been expelled for deserting to the enemy. He became an active opponent of martial law. At the general election of 1816 he was elected as one of the members for the new county of Wentworth but was expelled for libel on 7th March, 1817. He was re-elected and sat in the Assembly until 1820. He was a native of Wales born in 1775 and died at Ancaster in 1833.

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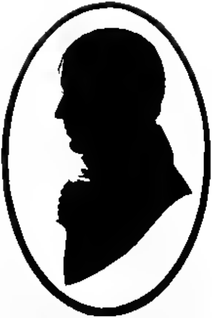

LIEUT.-COL. RALPH CLENCH 1762-1828

Founder of One of Niagara's Oldest Families

Joined Royal Scotland as cadet in 42nd Regiment at time of the American Revolution 1775. Later served in 8th or King's Regiment, in Butler's Rangers and 1st Lincoln Militia. At Queenston Heights. First Judge Niagara District Court 1827. Sat in House of Assembly 1801, 1805, 1813.

Silhouette taken in 1827.

From the J. Ross Robertson Collection, Toronto Public Library.

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No. 41

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RECORDS OF NIAGARA

No. 41

* * *

After an interval of four years in which he had acted as chaplain to the garrison at Kingston the Reverend John Stuart found an opportunity to visit the Mohawks on the Grand River and the settlement at Niagara, giving a brief account of his journey in the following letters.

* * *

FROM THE REVEREND JOHN STUART TO THE SOCIETY FOR THE PROPAGATION OF THE GOSPEL IN FOREIGN PARTS

Letter dated Kingston Cataraqui July 2nd 1788, in which he acquaints the society that he has just returned from his long intended visit to the Mohawks on the Grand River above Niagara. That he embarked with Captain Brant & 4 other Mohawks on the 27th of last May & reached the head of Lake Ontario in nine days (distant from Kingston about 200 miles) from whence they proceeded on horseback about 25 miles to the village called New Oswego, where he was well received

"That on the Sunday following he preached & administered the Sacrament to 16 (four of them New Communicants) baptized 65 persons, 7 of whom were Adults & married three couple That the Mohawk village is pleasantly situated on a small but deep River—the Church about 60 ft. in length & 45 in breadth,—built with squared logs & boarded on the outside & painted—with a handsome steeple & bell a pulpit reading desk & Communion Table with Convenient pews That the Church furniture lately given by Government not having arrived (though at the date of Mr Stuart's letter at Niagara) he took with him the plate & furniture, which formerly belonged to their Church at Fort Hunter—a small organ was employed in the Service But he was accompanied on his return as far as Niagara (about 80 miles) by Captain Brant & 15 other Mohawks who earnestly requested that he would visit them as often as possible which he promised to do. That finding he should necessarily be detained at Niagara some days for a passage & that no regular Clergyman had been in that extensive settlement since he had been there in 1784 he gave notice of his intention to preach on the Sunday Morning following, when he preached to a crowded audience & baptized 37 Infants, which with those baptized in private houses during his stay there amounted to 72 of which 7 only were adults, and he thinks a still greater Number remain unbaptized from the impossibility of collecting the children at such a distance on so short notice. That on the day before his departure from Niagara the Commanding officer in conjunction with the principal inhabitants of the adjoining settlement, represented to him their want of a Clergyman & as they wished to have some previous personal knowledge of one to be appointed & many of the inhabitants had formerly been Mr. Stuart's Parishioners at Fort Hunter, they promised that if the Society would allow him to accept their invitation, they would make him a liberal subscription, & give proper security for the due payment of it. That Mr. Stuart gave them no encouragement to expect him at least till the Society's pleasure should be known but advised them to invite Mr. Frazer formerly the Society's Missionary at New Jersey.

(Journals of the Venerable Society for the Propagation of the Gospel in Foreign Parts, Vol. 25, 1787-1792, pp. 120-1.)

At a later date Mr. Stuart wrote to Bishop White of Pennsylvania:

"Kingston (Cataraqui) Mecklenburgh District

September 4th, 1788.

"The increase of Population there is immense. And indeed I was so pleased with that Country, where I found many of my old Parishioners, that I was strongly tempted to remove my family to it. You may suppose it cost me a Struggle, to refuse the unanimous & pressing Invitations of a large Settlement, with the additional Argument of a Subscription & other Emoluments amounting to near £300 York Curr'y p. Ann. more than I have here."

(These extracts have been made by the kind permission of Professor A. H. Young from transcripts in his possession.)

The receipt of Mr. Grenville's letter on the subject of alleged misconduct in the Indian department both at Niagara and Mackinac stimulated Lord Dorchester to order further investigation in the following letter:

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec 21st January 1790

Sir

The discontents among the Indians which I hear of from different quarters must appear very extraordinary to you and indeed to all who are acquainted with the very benevolent intentions of the King's government towards them

As this disposition originates with His Majesty so it runs throughout His confidential servants Both duty and inclination support it without diminution in the main channels of this delegated branch of His authority But before it reaches the Indians it seems wonderfully changed Mankind in general do not return discontents and murmurs for acts of kindness whatever instances to the contrary may occur from the perverse disposition of a few wrongheaded individuals and the Indians in particular however different their manners and customs, are certainly not deficient in generosity of mind and gratitude towards their benefactors If therefore we reflect that this benevolent disposition on our part has brought forth benefactions to a considerable amount and occasioned an expense of about thirty thousand pounds yearly including the maintenance of the department for these last three years besides the sum of about twenty thousand given as a reward for former good conduct, and that in return for all this we require nothing from the Indians the conclusion must be, that some uncommon efforts are employed to produce an effect so *unnatural* to the human mind Yet this can scarcely be thought possible seeing the numbers of persons employed in the department whose duty should prompt them to vigilance and the detection and exposure of all practices injurious both to the Indians and to the public

How it came to pass, that a few distant and friendly Indians could be denied the common rights of hospitality at one of the King's posts who approves of so great an expence for the aid and comfort of the Indian Nations and that in direct disobedience of the second article of the Instructions for the good government of the Indian Department which requires that upon the Arrival of parties of distant Indians at any of the Posts the Agent shall report the same to the Officer Commanding who with the officers of the garrison are to assist in receiving them which is to be done with every mark of solemnity and friendship and as after the usual ceremonies, they will make known their wants their requests if reasonable are to be complied with I am at a loss to comprehend as well as how notwithstanding this order the Agent for Indian Affairs at Niagara could tell the Six Nations in Council that he being absent the commandant at that post could not relieve them and this in consequence of late orders How came he to be absent from his duty, particularly at that juncture? by whose leave did he quit his district? How came it to pass that Joseph and David who have hitherto been treated with distinguished regard and favour, by the Commandants and by all the English, on account of their Attachment, should now speak of their treatment at the post of Niagara full of resentment, and complaint of personal slight, and disregard? All these things appear to me very unaccountable—The entire confidence, with which I rely on your experience, and well tried zeal for the King's service leaves me no doubt that you will use every exertion to investigate, and to inform me of the source of all these evils, as well as of the cause of the still subsisting dissentions among the Mohawks and that you will assist me with your best advice as to the proper means for removing them.

There has been no change in the orders respecting the Indians of any kind since the departure of Lieutenant Colonel Hunter, neither have any Instructions been issued concerning them, since my arrival in the province but what had their benefit in view; nor can Lieutenant Colonel Butler point out orders, in the present or any former period not dictated by the same friendly spirit towards them. Though regulations have been made at different times to check the abuses or supposed abuses in the inferior branches of the department there has been no diminution of the King's bounty towards the Indians but on the contrary these regulations have been framed for the express purpose of conveying to them the Royal benevolence as entire and unimpaired as possible.

The loan of private goods from Niagara stated to have been made to the Indian Department at Detroit among which it is said were found Articles with the King's mark upon them, the repayment of that loan in articles of the same description without the sanction of the Commander in Chief the reports of the King's presents to the Indians being publickly sold at a private shop at Niagara both before and at a considerable time after that transaction supposing no improper practices to have existed or to have been intended bear such marks of irregularity upon the face of them and give room for such unfavourable suggestions, as clearly shew the necessity of the nineteenth Article of the instructions which directs that "no stores shall be lent or exchanged on any account whatever" And the order for the removal of the King's stores in the charge of the nephew from under the same roof and an immediate communication with the private shop of the son will for the same reasons, I hope no longer appear unreasonable nor can the necessity of the eleventh Article of the instructions which directs that "all presents and provisions given at public conferences or councils, are to be approved of by the Commanding Officer and delivered in the presence of all the

Officers of the Garrison," or for the twelfth Article which requires that "no presents or provisions shall be given privately nor any incidental charges paid, but with the previous approbation of the Superintendant General, or, in his absence of the officer commanding," be called in question, when the foregoing circumstances, and the representations from Michilimakinac, are considered, which state, that the King's presents have been employed in trading with the Indians, to the injury of the Merchants, and otherwise appropriated contrary to the intentions of government. Both duty to the Crown and tenderness to the reputation of the officers of the department render these regulations indispensible that on the one hand there may be clear proof of the due and entire conveyance of the Royal bounty to the Indians, for whom alone it is intended, and on the other, as undeniable evidence of the upright conduct of the officers, which supposing all these reports and complaints to be groundless must undoubtedly be of the highest importance to them. It will be prudent for the gentlemen supposed to be concerned in the disorderly traffic aforementioned at either place to explain their conduct which I must suppose to be in their power

If Lieutenant Colonel Butler still desires to retire from the King's Service he should speak out and I have only to regret my having taken any pains to divert him from that purpose and kept him to an office the proper attention to which appears irksome to him At any rate it is necessary that a proper person, Accustomed to the management of the Indians and to our friendly treatment of them should be constantly at hand to assist the Commandant of the Post with his advice and who must not quit his station without leave for it cannot be expected that every officer on taking the command, should come possessed of the necessary knowledge immediately to discern and adopt those measures which may be proper for his situation and Trust

I wish the Commandant at Niagara, when the Agent absented himself from his station had immediately substituted a proper person to do the duties of the office and made a report of his proceedings Directions to this effect are now given with regard to all Officers of the Indian Department to prevent the like injury to the King's service in future.

If the appointment of Lieutenant Colonel Butler to the direction of Indian Affairs in his district, being at the head of its Militia the senior member of the land Board next to the Commandant and at the head of the Courts of Justice besides the appointment of his Nephew in the Indian Department are not sufficient to remove the discontents he formerly testified I have only to regret as I said before my having delayed his retiring from the service At the same time I flatter myself that, while he accepts the trust, he will discharge the duties of it with fidelity and honor and take care that his own dissatisfaction in no way tinge the transactions of his office.

I am induced to hope too that the bare report of his having obtained grants of extensive tracts of land in consequence of the treaties of concession made between the Indians of his district and some of our neighbours would alone be sufficient to pique his honor to avoid the least appearance of lukewarmness or neglect in the King's service

I have formerly testified my approbation of the conduct of Joseph as well as of his friend David and am now disposed to grant a further proof thereof by an encrease of David's allowance from thirty to forty five pounds a year

I am &c

DORCHESTER

Sir John Johnson Bart

(Q 46-2 pp 395-403)

Sir John Johnson's rather laboured reply was dated only a week later

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

Montreal 28th January 1790

My Lord

My wish to comply with your Lordship's commands by forwarding without loss of time by the Mondays Post for the upper districts such Extracts of your letter to me of the 21st Instant as I conceived were necessary for the Information of the Parties Interested and for the investigation of the evils complained of prevented me sooner from acknowledging the honor of that lette

I have often with much concern and astonishment heard that discontents subsisted among the Indians notwithstanding the well known bounty and benevolent intentions of Government towards them

I have never failed when a proper opportunity offered of Impressing them with the highest sense of gratitude for His Majesty's, the Nation's and your Lordship's generous and Paternal attention to their ease comfort and happiness and I have only to regret that I have not been more particular than I have been, in committing to Writing a few of the many grateful acknowledgements they have made to me in return for the bounty of Government to them for the Attention of its Officers and for the heavy expence they have occasiond

That Emissaries have been and are employed to estrange their Attachment and affection from His Majesty's Government and Interest, is not to be doubted, that which it is the duty, and I cannot doubt but it is in the Power of His servants to Counteract.

The treatment of the Southern Deputies at the Post of Niagara is as much to be lamented as it is surprising to conceive how, with the stores full of everything necessary for them, and proper persons to distribute it—the commanding Officer could refuse the request of the Six Nations in their behalf, no Orders whatever existing to the contrary—The Absence of the Agent at that time, I believe, was owing to his having obtained Permission from your Lordship to come down the year before but which from indisposition or some other cause he did not then avail himself of but thought himself equally at liberty, with the Approbation of the Commandant of the Post, which I believe he obtained, to come down the next year, not knowing of the approach of these Indians or any particular business to be transacted until his return delicacy on my part and an Idea that he had your Lordship's permission prevented me from making any inquiry and Imagining that he would naturally report his Arrival here to your Lordship prevented me from executing that part of my duty

The cause of Captain Brant and David's dissatisfaction was owing as I am pretty well informed to a Vigilance in the Garrison I imagine in consequence of the Alarm from Detroit by which the latter was disarmed and the former attempted to be so, by a Centinel at one of the Gates conscious of their zealous and faithful Attachment to His Majesty's Interest and proud of the proofs and acknowledgements of their Brave and spirited conduct during the War it is not surprising that their resentment was roused at so strong a proof of a Want of that confidence in them they conceived they well merited—that this or some such treatment from the Officer Commanding is the only cause of their discontent will appear from Captain Brant's letter to Lieutenant Colonel Butler which I had the honor to transmit to your Lordship some time in Autumn as well as from the inclosed from Captain David which I received yesterday by return of the Indian Express I sent to Detroit with your Lordship's dispatches delivered to me by Captain Le Maistre

The confidence your Lordship is pleased to honor me with shall never be abused nor shall any exertions on my part be wanting to obtain information of the Evils complained of

The dissentions among the Mohawks originated I am fearful in the Ambitious views of Captain Brant who having the principle lead among the upper Mohawks or Canajoharie Indians and having been instrumental in procuring them the lands they possess as well as other benefits, wishes to be considered as the Chief and to have the rule and direction of the whole settlement which the Chiefs of the lower Mohawks oppose with a view to keep up their former consequence having always been considered as the heads of the Six Nation Confederacy—I have taken some pains to bring about a reconciliation but am fearful nothing but a separation of the Upper and Lower Mohawks into distinct Villages as formerly under their respective Chiefs will effect it—however, as Captain Brant is soon to be down I shall have an opportunity of being better informed of the steps most likely to bring about that event

I know of no part of the orders nor of any change that has been made in them that could justify Lieutenant Colonel Butler's assertion to the Indians and I believe they are well satisfied that all the Regulations that have been made from time to time have been calculated with a view to their benefit alone

As I never heard of it before, I am at a loss to know when, or by whom the loan and repayment of Goods with the King's mark upon them were made—the sale of the King's presents at a private shop at Niagara is very extraordinary and unaccountable to me, unless disposed of them by the Indians, which could only be the case at the time they received goods in bulk in lieu of their losses and services during the War—such conduct certainly points out the necessity of every restraint or Order that can be framed and shews clearly that no part of the Instructions relative thereto can with propriety be called in Question

It is to be wished and I hope the Gentlemen supposed to have made an Improper use of the Goods committed to their care for the use of the Indians may have it in their power to explain their conduct to your Lordship's satisfaction

I have never heard Lieutenant Colonel Butler talk of quitting the service seriously but I have lately been told that he holds such language now and means to go to the part of the country he was born in near New London—should it be the case I hope some person may be found to supply his place without much injury to His Majesty's service

I am happy to find your Lordship has been pleased to augment David's Pension and beg leave to recommend Captain John for the same Indulgence as a Person of superior consideration

By Return of the Express I received the inclosed letter from Mr McKee and I am happy to find by it that the Indians are so well disposed as he represents them to be.

I have put into the Office a letter addressed to Captain Le Maistre from Major Murray brought by the Express

I have the honor to be &c

JOHN JOHNSON

His Excelly Right Honble Lord Dorchester

(Q 46-2 pp 404-410)

The activity of surveying parties sent out by the government of Pennsylvania had probably excited considerable alarm among the western Indians and seems to have provoked suspicion on the part of officers in command of the frontier posts who were in constant dread of an attempt to take them by surprise

THE QUEBEC GAZETTE

Thursday February 18, 1790.

New York January 23—On the 13th instant arrived in Philadelphia on his way from Fort Erie, Mr Andrew Ellicott after having fixed the Geographical situation of some important places on the Lakes and compleating all that part of a Survey lying between the west end of Lake Ontario and Lake Erie, in the territory of his Britannic Majesty made to determine the Western Limits of this State

In the progress of this business Mr Ellicott had many difficulties to encounter arising from the extreme jealousy of the British Garrisons and the continued marshes and swamps through which he had to pass, and which cover almost the whole face of their country

Sir John's letter to Colonel Butler which had enclosed an extract of the most vital part of Lord Dorchester's instructions to him, elicited an explanation of transactions which had excited suspicion and complaints

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara 2nd March 1790.

Sir,

I received your letter of the 25th January last covering an Extract of Lord Dorchester's letter to you of the 21st January and shall endeavour as far as in my power to explain such matters as respects the Department under my charge

I have not been made acquainted with any Particular uneasiness amongst the Five Nations except the Mohawks, unless what some of the most distant Nations observed that what they received was scarce worth fetching so far as they had to come and that they believed the King their Father was Getting poorer every year

The Messesagues complain of being Disappointed in their payment for the Lands they sold Government when his Lordship and you passed Toronto I then promised them payment for what I then agreed with them for and informed you of which was to extend Northward to Join the Bay of Quinty & West to Lake La Clay and the Rice Lake which I presume the Surveyor who was then present has transmitted a Plan of to Head Quarters On my arrival from Montreal last fall a Number of Chiefs and Warriors of that Nation called on me to know if I had Brought the payment and was much Displeased I had not I informed them that Mr Langan had gone up the Bay with Presents for that purpose which they seemed very Doubtfull of and said they had received no information of it nor any message to Attend—after giving them some Ammunition and a few Guns with the Approbation of the Commanding Officer they set off for their Hunts, since which I have heard nothing further from them

The Disputes amongst the Mohawks appears to me to have Originated principally from Drunken Frolicks heightened by little private Disputes between those of the Upper and Lower Villages these Disputes were Buried in Oblivion by the Chiefs of the Five Nations last spring, according to their customs and Promises were made on both sides faithfully to abide by that Decision but before they reached home some of them began again to stir up Dissentions, and I must do Capt Brant and David the Justice to say that I have never discovered any Deviation in their Conduct from what was then recommended

The arrival of the Western Indians in my absence was Singularly Unfortunate a Circumstance very Unexpected and which could not have been foreseen and the only Instance of Distant Indians visiting this Post since the Peace, and I conceive by the Tenor of the third Article that the Commanding Officer is not Authorized to Distribute the Presents in the Absence of the Agent altho the Interpreter and Acting storekeeper could have answered every Purpose had Colo Harris thought proper to have done it and Notwithstanding my private Affairs very essentially required my Presence in Montreal I would not have absented myself from the Post altho there was no appearance of my presence being Necessary without Your Permission obtained by your letter of the 8th of October 1788 together with the concurrence of the Commanding Officer As to any personal Slight or

Disregard being shewn to Capt. Brant or David by Colo Harris or any Gentleman of the Garrison has never come to my knowledge but the contrary as far as I have been a Witness—I have always found him as ready to give any necessary Assistance to the Indians as any of his Predecessors at this Post whatever Offence was given them in my Absence I have only by hearsay but Colo Harris will explain that Matter to His Lordship more fully than I can do. The Presents as observed from under charge of the Nephew into my son's store was because no other Place could be had and his store being roomy and immediately at the Landing Place, the Presents have generally been stored there when they were to be given out immediately and there is no communication between that and the shop of my son—and not having Room for a fifth part of them in the Indian Store was the reason of their being put there they were this year opened and Distributed from there in the same manner as the Compensations were in the year 1787 when you was present and opened and Distributed in the presence of the Commanding Officer of the Garrison in the Manner directed by the Instructions and Certified by them except a reserve which was made by the concurrence of the Commanding Officer for Distressed families Principle Chiefs and Widows as well as those that have orders from You for Annual Clothing which I took immediately from thence and have distributed accordingly.

I have made every inquiry with respect to the Loan of Goods to and the repayment of the same from the Indian Department at Detroit and the sale of others from my son's store with the King's mark on them in Answer to which I inclose you a letter from Street & Butler which I trust will fully explain to you the reason of goods of that Description being sold in their Store

I am exceedingly Unhappy that His Lordship should entertain any Doubts of my integrity and Assiduity in giving all that satisfaction to the Indians that is expected from me & which my Duty to my King and the nature of my trust at all times require at my Hand sensible of that Trust and the Confidence placed in me I have ever been watchfull of the Interests of Government and the general good of the Confederate Indian Nations and as far as my own knowledge of their customs and Manners with the means that have been put in my Power I have spared no Pains in cultivating their Friendship with Government and in Conciliating any Discontent which I have discovered to have been stirred up amongst them either by the neighbouring States or by discontented Individuals amongst themselves and I have always felt the inward satisfaction of accomplishing my Wishes till latterly. Whatever may have been said to the contrary Permit me, Sir to Repeat what I have before observed both to His Lordship and to Yourself That altho I am happy on my own personal Account that such Restrictions are laid on the Deputy

Agents as enables them to Discharge their Duty with a less degree of Censure on themselves than when they had more left to their own Discretional Judgement, at the same time I am convinced, and presume that you will acquiesce with me in Opinion that more is effected with those credulous people by one in whom they have a Confidence by the manner & mode of distributing the Presents to them than by the real value of what they receive. I am convinced of this by long exeprience and Confirmed in it by the effects produced by the present mode of delivering the presents—I wish not to be understood that I mean (by delivering my sentiments so freely) to complain of the Hardship of complying with the orders but merely to point out the inconvenience of attending rigidly to the tenth Article of the Orders and rendering that Service to Government and giving that satisfaction to the Indians as is intended by the benevolent Disposition of the King—I wish all my Conduct to be under proper inspection but Not in that Public Manner which conveys an Idea to the Indians that the King their Father is afraid to trust me as heretofore which must lessen the consequence of the Agent in their eye and of course destroy his Influence with them

I have the Honor to be &c.

JOHN BUTLER

Sir John Johnson, Bart

(Q 46-2 pp. 411-18.)

Samuel Street, who had conducted a sutler's store and trading station with the Indians within the walls of Fort Niagara for about ten years, with considerable profit, had lately taken as a partner Lieut. Thomas Butler, eldest surviving son of Colonel Butler, and on being called upon to reply to the charges levelled against them, submitted the following statement:

FROM STREET AND BUTLER TO JOHN BUTLER

Niagara, 2nd March 1790

Sir,

Respecting Articles having been sold in our shop with the King's mark upon them, the following is as strict an account as we can give, tho' Conscious that we were doing nothing wrong have neither been very particular in Noting every Circumstance respecting such Articles as have been rec'd from the Store, nor by any means Cautious in Concealing the Marks under which we rec'd them.

Previous to the Orders from the Sup't Intend't General in '87 forbidding all kind of Barter from the Indian Store we frequently exchang'd for such Articles as answer'd us and have no reason to believe that the Goods given in return were better calculated to answer the Indians than those we rec'd, but it was never done with a view of Serving us, but as far as came to our Knowledge it was for the better satisfaction of the Indians.

Its well known we imported a large quantity of goods in '85 and '86 to no less amo't than £15,000 Sterl'g, at a period when the Indian trade not only declin'd more rapidly than could have been expected, even by a more discerning eye than ours, but when the Indians were tamper'd with by the Americans all round our Trading Posts, and the greatest part of their hunts carried off by them, which consequently left large quantities of our goods on hand, and naturally induc'd us to take every fair measure to prevent their Spoiling on our hands, by loan when we could not effect it by Sale—in '86 at the request of the Superintendant General we Lent Government for the Department at Detroit upwards of £1200 Sterling cost which were returned to us in fall '87 from the General Store in Montreal. In Spring '87 when Mr Dease was going to Mackinac boats were not to be had to convey the presents destin'd for that Post from Fort Schlosser to Fort Erie and with the Approbation of the Commanding Officer I lent him a Boat Load of Indian Goods which were at Detroit, and rec'd to the same amo't from him of the King's goods, then all those goods were expos'd to view and sale in our shop and some of them were in the shop till last fall.

We are Sir &c

STREET & BUTLER

Lt. Col Butler

(Q 46-2 pp. 419-21.)

Colonel Butler further demonstrated his annoyance and sense of injury by writing directly to Lord Dorchester.

FROM JOHN BUTLER TO LORD DORCHESTER

Niagara, 3rd March 1790.

My Lord

Permit me Sir to trouble Your Lordship at this time when I feel myself more essentially hurt than I have ever experienced during a series of upwards of Forty Years of indefatigable application in the service of my King & Country most of which time I have been employed in Indian Affairs in which I have been vigilant in cultivating their Friendship with Government as far as my abilities enabled me and am not insensible to the thanks and rewards I have had the Honor to receive from my superiors for my services, but it seems lately to have produced Suspicion, Mistrust & Enemies where I have not expected nor designedly gave offence.

Since I have had the Management of the Department at this post, I have never absented myself Twenty four Hours without permission from the Commanding Officer, and when Business called me abroad I always left a capable person to assist the Commandant in Indian Business Mr. Johnston the Interpreter who is well acquainted with Indians and their Customs was here on the Arrival of the Western Indians last Summer and was capable of performing any service that might be required; Although I did not conceive from the third Article of my Instructions that the Commanding Officer could distribute the Presents in my Absence still My Lord other Motives induced me to tell the Indians that Colo Harris could not clothe them in my absence I saw the Indians (the Mohawks in particular) were much displeased with him & I thought by that means to reconcile them to him and to appease them Myself by some other means

Conscious myself of Never having defrauded the Public nor denyed the Indians any assistance in my Power to give them and more particularly of not preventing Governments Benevolent Bounty from reaching them as entire and unimpaired as possible for which I appeal to all the Commanding Officers under whom I have served and if my conduct is Disapproved by them permit me to retire to some quiet repose & linger out the few Unhappy days that is left me

I am exceeding Unhappy that your Lordship should entertain so different an Opinion of me from what I once thought I had the Honor to enjoy

I know it is Currently reported and Generally believed that I have accumulated to myself an Independent fortune, but which will be found in the sequel to be erroneous —Supported by that zeal for the service of that Government which has reaped the fruits of a far Spent life induces me to continue in the place I have the Honor to fill at Present—but it is now too late for me to think of rendering myself usefull in any other line to that King & Government in whose service I have spent the Prime of my life & wish to end my days in.

With the Highest respect &c

JOHN BUTLER

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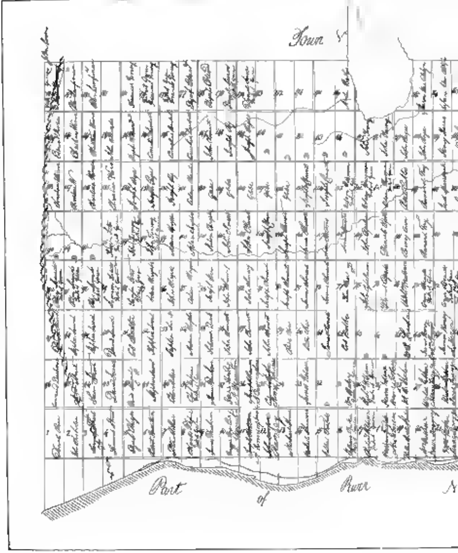
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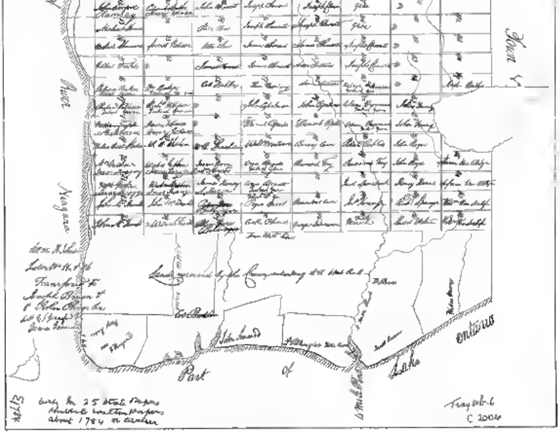
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C 2004
about 1784 or earlier

Lord Dorchester

I hope your Lordship will excuse the Liberty I have taken in writing thus freely & should I have said anything improper that your Lordship will impute it to ignorance & not to any design

D

(Q 46 2 pp. 422 5)

Dorchester reiterated his anxiety for the defenceless state of the province in a secret letter to Colonial Secretary

FROM LORD DORCHESTER TO W W GRENVILLE

Duplicate.

No 18 Secret Quebec 8th March 1790

Sir

The great approaches to Canada by the Mohawk river and Oswego, and by Lake Champlain to the river Sorel are too well known to require Explanation but I must just observe that suffering them to establish themselves on the latter up to the treaty line of the forty fifth degree of North latitude would be nearly equivalent to the making them Masters of the whole Country

The upper posts were all repaired last year and properly supplied with stores—Detroit is in a better condition than ever but from the beginning it was only a defence against Indians and now its chief strength must be derived from their fidelity joined with the Militia of the place and the abilities of the Commandant—Niagara should make a good defence Especially if the Militia of the district behave well and keep open the communication across the river Michilimakinac can keep out only Indians, and Fort Ontario, partly from the defects of the work partly from its position neither is nor can be rendered defensible in the present condition of Things The works on the Sorel are all very bad—The resources, which the lower part of the province is capable of bringing forward cannot be depended upon a languid insensibility to all political importance with but a few Exceptions, runs through the whole it will be difficult to rouse them Even to their own defence, or make them perceive their danger till it is at their door and probably too late

The Militia has been as much attended to as prudence would admit, but a favorable opportunity to embody two battalions of them which might in a few years correct this torpid habit has not yet offered; and on a well timed introduction the success of the measure will greatly depend. The defence of the province will therefore be reduced nearly to the Troops, and what small assistance the loyalists may be able to afford; this for local reasons must be confined to their own district, and indeed the same local considerations, in the present condition of our strength will have nearly the same effect upon the troops, so that every post will be left to its own defence, consequently must be expected to fall, the retaining any will be quite impracticable. It will require a reinforcement of at least four thousand men to enable this province to carry on a defensive war with any probability of success. In the year Eighty Eight, having conceived suspicion of such hostile designs, though not so far advanced, I apprized Brigadier General Ogilvie, that I might have occasion to draw two Battalions from Nova Scotia, and its dependencies, to Canada, by New Brunswick. I must observe that the present very defective distribution of the troops there renders such a measure difficult and tedious in Summer, and impossible in winter: dispersed as they are they cannot defend themselves nor succor any other part on a sudden Emergency. I would therefore recommend that leaving two battalions for the guard of Halifax all the rest of the troops in Nova Scotia its dependencies and New Brunswick, be collected on the upper part of the river Saint John where they may make huts for themselves in a central situation from whence they may give assistance with their united force, what ever it shall be. In their present dispersed situation they have nothing to guard and may be cut off in detail. The proper defence for Nova Scotia besides its militia is a command of those seas, the Halifax Squadron should at all times be decidedly superior to what the French annually sent to Boston, on the present occasion an additional number of frigates Enough suddenly to extinguish the trade and fisheries of the States, should they commence hostilities, would soon convince them of their Error

Dorchester

The Right Honble W W Grenville.

Endorsed Quebec, 8th March 1790
Lord Dorchester
Dup No 18 Secret

(Q 44-1 p. 123 5)

Alarming intelligence continued to arrive at Niagara from Butler's correspondents or agents in the Genesee valley. It may be noted that the person who wrote this letter had been an inter preter in the British Indian department and was soon after engaged in the same capacity in the service of the United States vide Simcoe Papers, II 195-6 276 315 III 103

FROM N ROSECRANTZ TO COLONEL JOHN BUTLER

Extract of a letter from N Rosecrantz an Inhabitant of the Genesee Country dated 16th March 1790 to Lieut Col Butler

I have been lately as far down as Cannandasago where I was informed by Mr Smith a Merchant of that place, who had just arrived from Cannandasago I asked him whether he brought us any news, he answered that he read the late papers wherein he found that the Americans were Raising a Numerous Army under a pretence of Destroying the Southern Nations of Indians and it is the opinion of the people that the troops are intended for to take Niagara and the back Posts at least it is strongly talked of

D

Endorsed— 3

In Lord Dorchester's letter
to Mr Grenville No. 26
of the 27th May 1790.

(Q 44-1 p. 244)

This information was to a certain extent corroborated by the following statement from a credible Indian source and both reports were forwarded to Lord Dorchester who considered them of sufficient importance to be transmitted to Mr Grenville

INDIAN INTELLIGENCE

Copy of Intelligence received from a principal Cayuga Chief, called the Blue Coat—Buffaloe Creek 26th March 1790

Sent by Lt. Col Harris

The above mentioned Chief lately returned from the Mohawk River says, that he there met with a Mr Wemp (with whom he had been well acquainted before the last War) who told him he wished much to have some Conversation with him and told him he had long wished for such an opportunity as now offer'd of Speaking his Mind to one who he thought from their former friendship he could depend upon he informed him it was the wishes of the Americans to have Oswego thrown open which he said ought to have been done long ago, according to the Treaty of

Peace in 1783 that it being kept Occasioned them many Difficulties especially in settling the Country lately purchased from them by subjecting them to a long land Carriage which occasioned great trouble and Expence in settling that Country ,and prevented many of the most principal people from going there which would not be the case was Oswego thrown open that it Greatly injured their trade and they were thereby prevented from Selling their Goods cheaper to the Indians than they could buy them at any other Place and that the People were therefore determined to take some Method to lay open Oswego, and that they were now raising Troops in the States but whether they were intended against Oswego or not he Could not tell and added that he had informed him in all that he knew respecting the Americans and would be glad to know if it would be agreeable to the Indians in General to have Oswego thrown open as it would be of such great Benefit to them also or if he thought they would oppose such a thing and requested to know if they were told by the King their Father to oppose the Americans or whether the King advised them (at the time they received their Annual Presents) to stand against the Americans should they attempt to take the Upper Posts—he Continued that what they intended to do was not from any authority of Congress but from the Wishes of the People

The Blue Coat made Answer that the King the Father since the Peace had given them No advice to oppose the Americans nor were they ever told that their Presents were given them for that Purpose but that the King their Father had desired them to be peaceable and Quiet and to Mind their Own Business and that he did not imagine the King or any of his People had any thoughts that the Americans intended to do what was then told him,

D

Endorsed 2

In Lord Dorchester's letter to Mr Grenville
No. 26 of the 27th of May 1790

(Q 44-1 pp 241 3)

Having at length received the necessary instructions for their guidance the district land board entered upon the active performance of its duties which in addition to the allotment of grants of land included the selection of sites for towns and laying out new roads and the improvement of such primitive roads as had been already opened

PROCEEDINGS OF LAND BOARD

"Land Board Niagara, March 20th 1790.

"Present Lieutenant Colonel Harris Lieutenant Colonel Butler, R Hamilton

"Which day various Letters and other papers being laid before the Board they read the same and for the purpose of executing their contents, they direct a Board to be held on the 29th inst at Mr Sheehan's house, in the Rangers' Barracks and that the inhabitants of Township No 1 be advertised then and there to attend for the purpose of filling up the lots of that Township with the names of the proprietors.

"Till then the board adjourned

"Land Board Nassau 29th March, 1790

"Present Lieutenant Colonel Harris, Commanding Upper Posts Lieutenant Colonel John Butler Peter Ten Broeck, Robt Hamilton Nathaniel Pettit, Esquires

"The Board Proceeded to the election of a Clerk and appointed Mr Sheehan for that purpose Mr Jones Acting Surveyor was called in and produced a plan of the first Township which the Board proceeded to examine, and entered those claimants for land whose titles appeared clear and undisputed

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"Land Board Nassau, 30th March 1790.

"Present Lieutenant Colonel Harris Commanding Upper Posts, Robt Hamilton Nathaniel Pettit Peter Ten Broeck Lieutenant Colonel Butler Esquires

"The Board this day continued examining the claims of the inhabitants to the lots in the first Township and entered in a list for that purpose such of the claims are undisputed

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"Land Board Nassau 31st March 1790.

"Present Lieutenant Colonel Butler Peter Ten Broeck, Robt Hamilton Nathaniel Pettit Esquires

'The Board having met issued the following advertisements

'The Land Board for the District of Nassau having received from Lord Dorchester instructions to open the Portage on the west of the River above Niagara And his Lordship wishing to do this on the most liberal and useful terms for the Settlement directs them to be consulted on this business, and that every proposal they individually or in companies may think proper to make for a contract shall be handed to him the Board have appointed their next meeting on the second Tuesday in April when the Court sits at which time they will communicate every particular respecting this business to whoever may apply and Mr Sheehan Clerk of the Board will inform any others who may wish this information sooner, if they will apply to him at his house

(Signed) J Butler Peter Ten Broeck Nathaniel Pettit R Hamilton.

'The Board are also of opinion from the regulations of the Governor and Council of the 25th August last that the center of this Township on the banks of Niagara River is the proper place for a Town and other Public Buildings and that the lots No 15 16 17 and 18 in the center of this township are at present in the possession of Gilbert Fields, Wm Baker, Richard Williamson and Nathaniel Fields which the Board will endeavour to obtain from those Proprietors for that purpose.

The Board then proceeded to appoint Commissioners of the Roads when the Following persons were named—

John McNabb Andrew Butler Jacob Ten Broeck Charles Pettit Robt Lottridge Robt Nelles Gilbert Tice John Warren, Elijah Phelps, Jacob Ball, Junior, John Powell.

REGULATIONS FOR THE COMMISSIONERS No new roads are to be opened nor any alterations made in the old ones except by the concurrence of three of the Commissioners of Roads for that District and the Board think it requisite that the Commissioners do order that the inhabitants shall Work on the road six days in the year viz three days in the Spring and three days in the Fall and at any other time when it shall become necessary either by floods or other accidents and you are hereby directed, in case of any persons refusing to work after having been warned to fine them five shillings for every day they shall neglect to work and the Path Masters are to be fined £5 should they neglect their duty The Commissioners will observe that all roads are to be one chain in breadth

Colonel Butler took advantage of a meeting with some of the principal chiefs of the Five Nations residing on their lands in central New York to inquire whether they were disposed to resist an attack upon the British post at Oswego, but at the same time renewed his former advice to endeavour to live at peace with their white neighbours and avoid being drawn into a conflict with the United States in the event of a war with the southern Indians.

SPEECH BY JOHN BUTLER TO THE INDIANS

Copy of Lieut. Colonel Butler's Speech to some of the Principal Chiefs of the Five Nations, and their Answer

Niagara, 8th April 1790.

Brothers

I was informed by Mr. Johnson the Interpreter at his Return from your village that the Cayuga Chief called the Blue Coat told him he had lately returned from the Mohawk River where he saw Hendrick Wemple an American Interpreter, who told him that the people of New York were very uneasy about the Post of Oswego being detained from them that they found not only an inconveniency in conveying their Settlers into the new Settlements but that they must bring goods by Land a Considerable distance, which put it out of their Power to furnish them so Cheap as they otherwise might. he said the people were very desirous to have that Post thrown open and wished to know if you would have any objection to their attempting it by force and whether you had any directions on receiving your Annual Clothing from the King your Father to oppose them

You know Brothers that it has always been recommended to you to live peaceably and justly and to give your Neighbours no Cause to blame your Conduct, this was my Advice to you, and is still And it appears from the above information and from Reports of the Americans raising troops to go against the Southern Indians that they are not perfectly satisfied I recommend it to you as a prudent step towards keeping clear of disputes with them to call home all your scattering people from amongst them least some of them may be prevailed upon by the Americans to Join in the quarrel against people of your own Colour which might involve your Nations in a War

ANSWER FROM THE CHIEFS

Brother

Our Attachment to the King our Father is firmly Fixed and Agreeable to his Advice we shall endeavour to keep clear of Disputes with our Neighbours and as we are apprehensive that should a quarrel between the Americans and our Brothers to the Southward take place that our Situation might be disturbed sooner than we Conceive at present they are encroaching fast upon our Country with their Settlements and as we wish to keep free from disputes we are desirous of knowing from the Commander in Chief the particular Boundaries of the Lands that are given us on the Grand River that we may make such divisions amongst ourselves so as to know where to retire when we see Cause to remove to it the Mohawks have papers to shew for their Lands we wish also to have the same with the outlines pointed out that there may be no Misunderstanding or disputes hereafter

D

Endorsed— 6

In Lord Dorchester's letter
to Mr Grenville No 26
of 27th May 1790

(Q 44-1 pp 248-250)

These proceedings were duly reported to Sir John Johnson and by him to the Governor who transmitted the information to the Colonial Office.

From John Butler to Sir John Johnson

Extract of a letter from Lieut Colonel Butler to Sir John Johnson dated Niagara 10th April 1790.

We have had a Report here that the Americans are raising an Army against the Southern Indians I have desired them to call home their Scattering people as it is probable some of them might be prevailed upon to Join against the Indians which might be the occasion of involving their Nations in a War with those of their own Colour and may be prevented by a timely attention which I strongly recommend and hope will be attended to.

D

Endorsed— 7

In Lord Dorchester's letter
to Mr Grenville No 26
of the 27th May 1790

(Q 44-1 p 251)

About this time Lord Dorchester had received private information that some of the officers of the Indian department among them Colonel Butler had obtained considerable grants of land in the United States which gave him some anxiety and the Superintendent was instructed to make a full inquiry and report the result.

From Henry Motz to Sir John Johnson

Quebec 12th April 1790

Sir

Lord Dorchester having understood although he cannot give full credit to the report that several persons in the King's service and other the King's subjects in the province are possessed of Lands beyond the line marked by the late treaty of peace in the upper part of the country under titles derived from the states or the subjects of the United States—His Lordship requests you will endeavour to obtain full and special information on the subject and bring him acquainted with all particulars of the names, characters and residence of the persons of this description what quantities of lands they possess as aforementioned where the lands are situated, and upon what terms or pretences, how and from whom they have been obtained and in what manner they are held or pretended to be held whether in their own names or in any other way whatever with the dates of all such grants or titles

I am &c.

Henry Motz

Sir John Johnson Bart

The following letters show that the commandant at Fort Niagara had become seriously alarmed and considered it necessary to take unusual precautions to guard against surprise.

FROM LIEUT COLONEL HARRIS TO CAPTAIN LE MAISTRE

Extract of a letter from Lieutenant Colonel Harris Commanding the Upper Posts dated Niagara 15th April 1790 to Captain Le Maistre, Military Secretary

The inclosed papers have been delivered to me by Lieut Colonel Butler, Rosecrants—you may probably remember, he was with the Rangers and Captain Brant during the War but has since resided at the Genecies

That the States have ordered Troops to be raised is mentioned by different People lately arrived here—A Mr Skinner says such a Report prevailed amongst the common People

Murphy (who is Blacksmith in the Indian Department at Michilimakinac) says Troops are ordered to be raised to the number of thirteen or fourteen Thousand to be employed against the Western Indians for having taken or destroyed five of their Boats on the Ohio late last fall

There is a Report (but not generally believed) that the English have taken two French Ships, returning from Philadelphia laden with Corn

D

Endorsed— 1

In Lord Dorchester's letter
to Mr Grenville No. 26
of the 27th May 1790.

From Lieut Colonel Harris to Captain Le Maister

Copy of a letter from Lieut Colonel Harris, dated Niagara 15th April 1790 to Captain Le Maistre Military Secretary

Since my letter to you of this morning I have received the enclosed from Col'l Butler, how far the Intelligence is to be relied on I cannot pretend to say—but should anything material be attempted this way beg to be informed what lengths I may go with the Indians and what Engagements I may enter into in order to interest them (if it should be thought proper) to take an Active Part on the side of Government

I have this day wrote to Captain Partridge Commanding at Oswego to put him on his guard

D

Endorsed— 4

In Lord Dorchester's letter
to Mr Grenville No 26
of the 27th May 1790.

(Q 44-1 pp. 245)

Some of the Six Nations who remained in the United States then announced their intention of joining the Mohawks already settled on the Grand River and the chiefs of that nation requested in consequence that the limits of their reserve should be defined and that those intending to migrate should be supplied with provisions

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From David and Aaron Hill to Sir John Johnson

Nassau 15th April 1790

Sir

Having been informed by Colonel Butler of the receipt of a Letter from You, mentioning His Lordship's wish to know when we would choose to have our Deed for the Lands granted to us on the Grand River it being the wish of the Six Nations in general we have to request the Deed as soon as possible, being informed the Americans are Raising Troops and Ignorant of what their intentions may be, think the sooner our Boundaries are pointed out the greater will be our satisfaction and wish to know how much of the Land to the south of the Grand River we may expect will be reserved for our Hunting and further request His Lordship will order a Surveyor to survey the Tract granted us that in future we may be certain as to our Boundaries.

There being a number of the Six Nations who mean to move over to the Grand River and the season being considerably advanced a number of them nearly destitute of Provision request His Lordship will allow them provision in order to enable them to move and until such time as they may be able to support themselves, we are in Behalf of the Six Nations &c.

DAVID HILL
AARON HILL.

Sir John Johnson Baronet

Butler encouraged the project of emigration to the Grand River and recommended that provisions should be supplied to the Indians who intended to remove.

FROM JOHN BUTLER TO COLONEL HARRIS

Copy of a letter from Lieut Coll Butler to Lieut. Colonel Harris dated Niagara 15th April 1790

I have been informed by Captain Aaron that he had sent a Messenger to Onida who had returned and relates that Congress had sent a Message to the Onidas informing them that they had now raised an Army to take their own Fort Niagara and that Two Thousand of that Army were now on their way from New York, and recommended to the Indians to collect their People in a Body and Advise them to lay Still and look on and not to interfere with white People, and that any who Disobeyed this Caution they would Punish as the Island of America was not so large but what they could find them out and further related that in Consequence of Capt Aaron's Message all the Indians in the King's Interest had left Onida and were removed to Genesee.

A great part of the Tuscarora and some of the Cayuga Nations are now preparing and will move over to settle at the Grand River this Spring and it is my opinion that if Goverment would allow a years provisions to those that move over that many of the other Nations would follow their Example and move there in the Course of the Summer but without that Assistance they Cannot as moving their Families would prevent them from planting and of course leave them Destitute of Provisions

D

Endorsed 5

In Lord Dorchester's Letter
to Mr Grenville No 26
of the 27th May 1790

(Q 44-1, pp 246-7)

At the next meeting of the Land Board petitions were received from two men who were destined to take a long and active part in public affairs, as rivals for popular favour. Swayze had been employed in secret service during the war, and seems to have had a talent for making enemies. Street, who was a native of Connecticut, had commenced trading with the Indians on the Susquehanna river in Pennsylvania, whence he had removed to Fort Niagara in 1778 He had not taken any active part in the war, but had married the daughter of a loyalist. Both of them soon acquired considerable property in land, and were commissioned as magistrates. Street and Butler had already built a saw mill on the Fifteen Mile Creek. In 1796 Samuel Street patented 4600 acres of land in the township of Willoughby, mostly obtained by transfer from Philip Stedman and other original grantees Swayze patented 1200 acres in Pelham in 1797 to which he added other lands in that and adjacent townships at a later date. He was elected a member of the Legislative Assembly for the third riding of Lincoln in 1792 but was succeeded and probably defeated by Street in 1796. Street had been a candidate for the second riding in 1792 but was defeated by Benjamin Pawling by 148 votes to 48. Street was again elected in 1800 and chosen as Speaker He was defeated by Swayze in 1804 but regained his seat in 1808 and was again elected Speaker Swayze was elected by the fourth riding on the death of John Fanning in 1812, and re-elected in 1816 Street died in 1815, but Swayze lived until 1828.

PROCEEDINGS OF THE LAND BOARD

"Land Board Nassau 16th April 1790

"Present Lieutenant Colonel John Butler Peter Ten Broeck Nathaniel Pettit Esquires

"Received a petition from Isaac Swayze setting forth that from his character having been traduced he had been prevented from enjoying the privileges of other loyal citizens, and, having produced sufficient proof that his character had been misrepresented the Board are of opinion that he is entitled to the quantity of land his services may entitle him to as a volunteer in the British Army at New York.

"Received a Petition addressed to his Excellency Lord Dorchester from Samuel Street, Esquire."

A copy of Mr Street's petition has been preserved and is of considerable interest relating his claim to the occupation of a part of the Crown reserve at what was then called the "lower landing which became the subject of a suit at law two years later

Writing to Mr Secretary Dundas on 4 November 1792 Lieut Governor Simcoe said

"The Queen's Rangers are hutted by great exertions at the Niagara Landing now *Queenston*, Mr Street an Inhabitant of the place chose to dispute the Right of the Land I directed the Attorney General to defend the suit & Judgment was given in favor of the crown"[1]

THE MEMORIAL OF SAMUEL STREET

To His Excellency The Right honourable Guy Lord Dorchester Captain General and Governor in Chief of the Colonies of Quebec Nova Scotia and New Brunswick and their Dependencies, Vice Admiral of the same General and Commander in Chief of all His Majesty's Forces in the Said Colonies and the Island of Newfoundland &c &c &c

The Memorial of Samuel Street of Niagara, Esqr—
humbly sheweth—

That your Lordships Memorialist having observed through the Medium of the Land Board here that from the remarks made by Lieut Humphry of the Engineers the face of the Hill and the front of the Lots at the Landing may be taken for the Use of Government the Present Possessor having no rights to them begs leave to represent that he has been a Residenter at Niagara upwards of twelve years, and in Possession of the Lands pointed at by Lieut Humphry upwards of six years that he made a Purchase of them at a Price little short of seven hundred Pounds under the written Sanction of Lieut Colonel Depeyster the then Commanding Officer of this Post and has since expended near double that Sum in Buildings and other Improvements thereon—

Your Lordships Memorialist having at all times strictly complied with every Instruction and Regulation which has come to his knowledge relative to Settlers on Crown Lands and done all in his Power to promote the Prosperity of this new Settlement conceives himself entitled to the same Privileges as other Settlers and asks no more than to be permitted to keep the Lands he has taken Possession of conformable to the general Rules observed in this Settlement—

Your Lordships Memorialist will however most cheerfully submit to have such Reserves made in the Deeds as will not only enable Government to take away from the face of the Hill what Stones may be wanted but to erect Store Houses and Wharfs for the King's use on such Part of said Lands as shall be found most convenient when the Engineer views the Ground—

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[1] Simcoe Papers I p. 247

Your Lordships Memorialist therefore humbly begs that your Lordship will be pleased to take his Case into Consideration and Grant him such relief as your Lordship in your wisdom shall judge right—

And your Lordships Memorialist as in Duty bound will ever pray &c. &c.

Niagara, 15th April, 1790.

(Signed) SAML STREET

Copyed from a Copy

D W SMITH

After the organization of the province of Upper Canada Mr Swayze renewed his application for lands at first in conjunction with associates unsuccessfully and afterwards alone with better fortune, as he had then become a member of the Legislative Assembly

To His Excellency John Graves Simcoe Esqr Governor and Commander of the Province of Upper Canada &c. &c. &c

In Council

The Petition of Isaac Swayze John Secord Senr John Secord Junr. and David Secord, HUMBLY SHEWETH—

That your Petitioners desirous of promoting the population of this Province hath encouraged a number of their friends and Relations now residing in the States of New Jersey and New York to become settlers in this Country and as your Petitioners conceive that from the great resort of People to this Province applying for Grants of land that the Townships most contiguous to the navigable waters may be located. In behalf of themselves and Friends solicits your Excellency for a Grant of one Township and your Petitioners will strictly adhere to any Rules and regulations that may be laid down by Government relative to the settlement and Cultivation thereof or grant such other relief in the Premises as your Excellency may seem meet and your Petitioners will ever pray

New Ark, 21st May 1793

Endorsed.—May 24 1793
read in Council—
inadmissible.

To His Excellency John Graves Simcoe, Esqr Governor and Commander of his Majesty Province of Upper Canada &c &c &c

In Council

The Petition of Isaac Swayze Humbly sheweth

That the sufferings and loyalty of your Petitioner during the late rebellion are well known neither he presumes have his services been forgot, He therefore most humbly prays that your Honor will grant him a location agreeable to His Majesty most gracious bounty to his loyal subjects.

ISAAC SWAYZE

Newark June 4th 1794

(The whole petition is in Swayze's handwriting)

Endorsed —Granted one thousand two
Hundred Acres and refered
to Surveyor Genl to locate the Same
read in Council July 8th 1794
gave the Minutes to Mr Swayse

As hostilities with Spain seemed almost certain in consequence of the seizure of British ships in Nootka Sound Lord Dorchester was requested to abandon his intention of returning to England on leave through fear that the United States might be tempted to take an active part in the war to secure possession of the frontier posts and he was accordingly directed to organize the militia for their defence

FROM W W GRENVILLE TO LORD DORCHESTER

No 22 Secret

The Right Honble

Lord Dorchester

Whitehall, 6th May 1790

My Lord,

In Consequence of discussions which have arisen between His Majesty and the Court of Spain relative to the Capture of some British Vessels on the North West Coast of America & His Majesty having received information of armaments in the ports of Spain has judged it necessary to give immediate orders for augmenting His Forces.

I trust that the issue of this business will be such as to correspond with His Majesty's sincere desire for the maintenance of peace consistently with the preservation of the Honor of His

Crown, and the Essential interests of His people. But as it is possible that this business may take a contrary turn, I have thought it right that Your Lordship should be apprized of it as early as possible.

It is I think extremely improbable that any attack will be made by Spain in the present circumstances on any of His Majesty's North American Dominions—But it is evidently to be apprehended that the existence of a war between this Country and Spain will give encouragement to the United States to demand the Cession of the Forts on the Frontier of Canada. And, it is possible that by holding out to them a prospect of obtaining this favourable object the Court of Spain may be able to induce them to take an active part in the war. As this is a point of the utmost importance to the British interests, I am persuaded that Your Lordship will feel how necessary it is that His Majesty should have in that part of His Dominions a person to whose Experience talents and character He may look with Confidence for such a line of conduct as may be necessary to protect the whole of the remaining British Empire in America and that Your Lordship will therefore readily be induced to relinquish Your wish of returning to Great Britain this Season

The necessary arrangements for the defence of those of His Majesty's possessions which are more immediately exposed to attack either by Spain if she should find herself in a condition for offensive operations or by France if that Country should be induced to become a party in the war make it very doubtful whether any reinforcement of Troops can be sent out to North America this year—As Your Lordship is empowered by an Ordinance of the Province to Embody such part of the Militia as shall be necessary you will of course on receiving accounts of the commencement of Hostilities of which I shall not fail to give Your Lordship the Earliest intelligence take measures for doing this as far as the circumstances of your situation may appear to require and considering how large a part of the Inhabitants, particularly in the Upper Country were in arms during the American War I should hope that this might soon be made by Your Lordship's Exertions an useful and efficient force

I am &c

W W Grenville

Endorsed

Drat To Lord Dorchester
6th May 1790.

Secret
(No 22)

(Q 44 pp 84-6)

Copy of part of an accurate Survey of Township No. 1

The Irregular Survey of the Township differs a good deal in parts from No. 1 down to 7? these Lots were

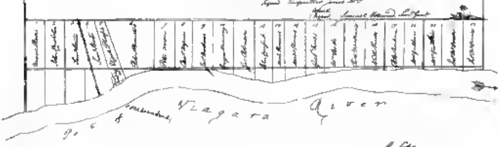
settled prior to any Survey. The inhabitants from all the Lots [illegible] [illegible] to the Land Board [illegible] that

their improvements would be made lost should their ranges [illegible] be changed. The Board

unanimous to grant these Lots conformably to their possessions —

Signed Augustus Jones DS

Samuel Holland Sur. Genl.



A Copy
[illegible]
[illegible]

(2049) 1792

Land Petitions [illegible] [illegible]

Early in 1788 Oliver Phelps Nathaniel Gorham, and their associates had purchased from the government of Massachuseets their right of pre-emption to all the Indian lands in the State of New York To secure the good will of the Six Nations these persons had employed Samuel Kirkland the missionary and had endeavoured with some success to enlist the influence of Colonel Butler Joseph Brant Samuel Street and other persons living at or near Niagara On being called upon by the commandant for an explanation of his conduct Butler made the following rather unsatisfactory statement

FROM JOHN BUTLER TO LIEUT COLONEL HARRIS

Niagara 18th May 1790.

Sir

Agreeable to my promise to You this morning I send you an account as far as has come to my knowledge respecting Persons concerned in the Purchases made of lands in the Indian Country Messrs. Oliver Phelps & Co of the state of Massachusetts had made a purchase from the Five Nations some time in the month of July 1788 of a large Tract of Land at which time Mr Phelps offered a part of that Tract, by Paying the sum that he did for it to some Inhabitants of this Place which was accepted and went by the name of the Niagara Company but thinking it improper to hold these Lands I believe most of them gave up their Claim to them except Mr Street & Mr Barton who I believe are now the only persons that claim lands in that Country In order to accomodate some of my Relatives in the New England States I got a Deed for them from Mr Phelps for 10000 Acres with a promise of 10000 more to be given them hereafter The Five Nations had lately made Sir John Johnson and myself a Present of a Tract of Land for the purpose of accomodating our Friends in the states, but Sir John having refused it. I have also done the same and given them back the conveyance (they had given us) in the presence of Doctor Kerr and Mr Wm Johnston the Interpreter

I had no other view of accepting that Present than to give it to my friends in the states and Lt Col Hunter told me when he was here that he saw no impropriety in my getting Lands from Mr Phelps for that purpose.

I have the honor to be &c

JOHN BUTLER

Lt Colonel Harris
Commanding the Upper Posts

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[1] See Publications of the Buffalo Historical Society Vol XXIV pp 79-88

P.S.—As Mr. Street is the Acting Person in this Business he will on his return be able to inform you more particular than I can.

Lord Dorchester disapproved the proposal made by Butler to encourage the migration of the Six Nations from the State of New York to the Grand River, which had seemed to him the natural sequel to the sale of the greater part of their lands. Sir John Johnson was given orders to be watchful and warn the militia to be in readiness for a resolute defence.

From Lord Dorchester to Sir John Johnson

Quebec, 20th May, 1790.

Sir,

The Indian Intelligence communicated by Lieutenant Colonel Butler in his dispatch of the 15th April, importing that hostilities are intended against the Posts of Oswego and Niagara, with the request of some of the principal Chiefs of the five Nations in consequence of that allarm to know the boundaries of lands said to be given to those Nations on the Grand River to which they propose to remove, appear very extraordinary.

It is not generally thought desirable for the Indians to abandon their country, and yet Lieutenant Colonel Butler's suggestion to allow a Year's provision to those, who shall take that course, as an incitement for others to follow, indicates a strong and decided opinion to the contrary. I shall be glad to hear his reasons.

I do not exactly comprehend what lands, said to be given to the five Nations on the Grand River, are alluded to; the boundaries of what was promised by General Haldimand I think have been described in writing, and are, or ought to be in Lieutenant Colonel Butler's hands, so that he should be able at all times to satisfy them in that respect.

But though I cannot discern how the removal of the Indians to the Grand River can benefit either themselves, the King's service, or the settlers in the upper part of the province and fear that on the contrary it will occasion much inconvenience and distress, particularly at the present time when there is a general scarcity of provisions, yet it is not difficult to perceive the advantages and convenience which must result therefrom to those who have obtained grants of land in the Indian Country, and to them I impute the assertions of an attack upon Oswego and Niagara being in agitation, for I cannot easily persuade myself our Neighbours really mean now to begin a War.

But however improbable these reports of hostile designs against us may be common prudence requires all proper precautions should be taken immediately and the more so as it is evident the Indians have been tampered with for some purpose or other

You will therefore take all proper measures to excite vigilance in the Indian Department as well as in the Militia of the Western Districts and that all things be prepared for a vigorous defence against any insult that may be offered in those parts

If anything occurs to you to be further necessary for putting our strength in the Upper Country in a better state of defence I shall be glad to be made acquainted with it.

Similar instructions are now given to the Commanding Officers of the Upper Posts

Lieutenant Colonel Butler was right in advising the five Nations to call in their Scattered people to prevent their being involved with the Southern Indians

I am &c.

DORCHESTER

To

Sir John Johnson Bart

(Q 46-2, pp 432-4)

Particular instructions were issued for the guidance of the land surveyors in the delimitation of townships on the shore of Lake Ontario in the tract recently purchased from the Indians at the treaty held with them at the carrying place of the Bay of Quinte

FROM JOHN COLLINS TO PHILIP R FREY

Quebec 20th May 1790

Instructions to Mr Philip Frey Deputy Surveyor of the District of Nassau

Sir

His Excellency having been pleased to direct "that the Land Board of Nassau employ the surveyor of their District with ten men to survey and mark the front lines of Townships from the eastern boundary of their district to Toronto and to carry the side line of each township back one mile well marked at such time as may best fall in with their general arrangement of the Summer business of their District if other more necessary work will admit of it"

You are to proceed to the execution of these services at such time and agreeable to such instructions as the Land Board of your District may direct, reporting to this office protractions of the work when finished.

You are directed to keep a journal and field book, inserting whatever is observable for its singularity and value towards the public utility, as waterfalls, minerals, quarries, the quality of the land and timber, &c., &c.

And I am charged to apprize you that besides your return to me of a map and field book, you do also account for the time to be spent on it in a journal to be kept for the purpose with such minuteness and certainty as will enable you to answer questions respecting the business upon oath, if the same should be required.

There must be very strict attention to economy in the whole service and the hands dismissed as soon as they can be spared, and as the accounts will all be subject to audit, you'll take care to furnish the documents that will be expected in justification of every article of charge. It is not, however, his Lordship's intention by any small savings to disappoint the useful end for which these surveys are commanded, but there must be a responsible discretion exercised in the expenses both of the time and the means.

And you are on receipt of these instructions to communicate the same to the Land Board of your District for their information and that they may be the better enabled to direct such further particulars as their local knowledge and experience may suggest. I am with Regard, &c.

JOHN COLLINS, D.S.G.

Approved by His Excellency Lord Dorchester

31st May, 1790.

Henry Motz.

(District of Nassau Letter Book No. 5 pp. 33-4.)

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

Montreal, 24th May, 1790.

My Lord,

By the last post I was honored with your Lordship's letter of the 20th Instant.

It would appear as if Lieutenant Colonel Butler meant to encourage the Six Nations in their intention of removing to the

Grand River his reasons for so doing I am at a loss to know—unless it be to prevent their being detached from us and to have them more at liberty to Act with us in case of necessity Yet it is not at all Improbable that those who may have obtained Land from them and have more extensive views, may propagate these reports to encourage the Indians to abandon their Country Long ere this however Lieutenant Colonel Butler will have received my letter in which I acquainted him with your Lordship's sentiments upon that subject and directed him by all means to advise and discourage them from Removing and I gave Captain Brant written Instructions to the same purpose.

Lieutenant Colonel Butler and the Six Nations are perfectly acquainted with the extent of the Tract allowed for the use of the Six Nations by General Haldimand but the inclosed Letter will shew what is meant by their desire to know the Boundaries of their Tract on the Grand River

I shall not fail to give every necessary direction to prepare the Indian Department and the Militia of the Western District to guard against any attempt that may be made to Insult them in those parts at the same time I do not apprehend the least danger and only look on those reports as the Vaunting of a set of men who feel sore by the detention of the posts from them for the reasons they assign—yet I am confident they would be the last to make the attempt threatened more is to be apprehended I should imagine from the eastern people now settled in the neighbourhood of Oswego and Niagara—Nothing occurs to me necessary for putting our strength in the Upper Country in a better state of Defence than the strengthening the Garrison of Oswego and that orders be given to the Commanding officers of the several Posts, in case of Invasion to furnish Arms & Ammunition to such of the Militia as may stand in Need of them, upon the Requisition of the Commanding Officers of the Battalions—for want of an order something similar I shall ever regret the failure of an Expedition the Success of which would have been attended with the greatest advantage to His Majesty's Service.

I have the honor to be &c

JOHN JOHNSON

His Excellency

The Right Honble
Guy Lord Dorchester
&c &c &c

(Q 46-2, pp 435-7)

Colonel Harris commented adversely on Colonel Butler's conduct in becoming involved in land speculation and discredited his explanation which he forwarded

From Colonel J A Harris to Captain Le Maistre

Niagara, 26th May 1790

Sir

In my letter of the 26th of February last I acquainted you, Lieut Coll Butler had shewn me a sketch of a Tract of Land to the *Eastward* of this place which he meant to take up I expressed my disapprobation, and represented the Impropriety of it to him Notwithstanding which the *Business* was *transacted* and a Deed obtained from the Indians—This Deed has been given up within these few days.

The inclosed I received from Col Butler in answer to some question asked him relative to lands held in the states

The true state of the case I have reason to believe is thus—a sett of People call'd the Niagara Company have obtained Land in the states (near Genecies) to the Amount of Fourteen shares—each share consisting of Twenty thousand Acres, and the Members of the above Company I am informed are Messrs Lt. Col Butler Capt Powell, Lieuts Johnson and Dockstader Street Barton from the states (residing when here at Mr Streets) and Murphy the Blacksmith, and I have understood the Lands were to be held in the names of others under title from Phelps, Goreham & Co

When Mr Street went from this he told me it was to bring in his property mostly cattle, and asked me if it would be convenient to take them for the Garrison in exchange for salt provisions; his principal errand I believe is the Land jobbing business abovementioned

Mr Frey[1] notwithstanding his assurance to me of returning as early in the spring as possible has wrote word to his Creditors that he means to remain where he is

I have the honor to be &c.

Jno Adolps. Harris
Lt Col Comg Upper Posts

Capt Le Maistre
M S &c.

As the proposal for granting a further measure of self-government to the inhabitants and the probable division of the province was then under consideration Lord Dorchester forwarded the regulations lately adopted for the grant of lands to encourage settlement which he accompanied with a form of the list to be used for distinguishing the United Empire Loyalists from other settlers.

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[1] Philip R Frey, the Deputy Surveyor

FROM LORD DORCHESTER TO W W GRENVILLE

No 25 Quebec, 27th May 1790

Sir

The King's Instructions restraining the further Grants of land within the province under my government inclosed in your circular letter of the 10th of March signifying at the same time that it is not His Majesty's intention to preclude any claim to a grant of land founded on any antecedent step, that in equity gives a title to such grant induce me to transmit the inclosed Regulations, although they are part of the Council Minutes, concerning the waste lands of the Crown in this Province as it may be proper on this occasion to bring the whole into one view in order to shew the extent of certain equitable claims founded thereon

A speedy settlement of the Upper Country with profitable subjects provision towards a strong and loyal Aristocracy and the reservation of certain tracts in every township for future uses appear on perusal to be the chief principles on which they were formed

A number of well effected persons have upon the faith of these regulations emigrated from the United States into the upper part of this province and there is reason to believe that a continuance of the same spirit if not checked on our part will fill that extensive country which under the free tenure already promised to the settlers may soon be brought to a flourishing condition

Care has been taken to reward the spirit of loyalty and industry to extend and transmit it to future generations and to predispose for the political classes and distinctions necessary to good order by opening the road to effluence and honors to all whose diligence and fidelity shall keep pace with the benevolent intentions of the King's government

Nearly one seventh (exclusive of roads and spots for public uses) of every Township or parish is reserved for the future disposition of His Majesty and this I conceive to be as much as can be left in an unimproved state without injury to the present settlers—These reservations will no doubt become valuable when the population is advanced and then may assist in providing for the Provincial expenditure.

It is essential to the security of the King's dominions on this continent that the people be Attached by the strongest of all ties, their own interest The Landholders must ever be the chief defence of this country and should have nothing to gain but much to lose by a separation from Great Britain—An easy tenure of their lands will prevent a fruitful source of discontent

And while I am on this subject I cannot help expressing a wish that in whatever manner it shall please His Majesty to dispose of the Estates of the Jesuits in this province, the mutation fines, to which the tenantry are subject may be abolished

It will be economy in the mother country to avoid the necessity of sending her treasure abroad for the support of her provincial governments. And her immediate advantages will depend upon the consumption of her manufactures and the profits of a fair and liberal commerce.

The expediency of a strict observance of political justice in the distribution of the Royal favors and of the admission of all classes of the King's subjects to offices of honor and profit in proportion to their merit and usefulness to the state, is too obvious to require being enlarged upon.

A schedule of the Inclosures is subjoined

I am &c.

DORCHESTER

The Right Honble

W W Grenville.

(Q 44-1 pp. 191-4)

BLANK FORM OF ROLL FOR UNITED EMPIRE LOYALISTS

Roll of Captain Company of Militia of the

Battalion of District of

Names	Age	Numbers				
N B—Those Loyalists who have adhered to the Unity of the Empire, and joined the Royal Standard before the Treaty of separation in the year 1783, and all their Children and their Descendants by either sex are to be distinguished by the following Capitals, affixed to their names U E. Alluding to their great principle The Unity of the Empire		Married	Unmarried	Absent	Infirm	Fusils

In Lord Dorchester's to Mr Grenville

No. 25 of the 27th May 1790

(Q 44-1, p 224)

In a second letter of the same date he described the precautions he had taken for defence

FROM LORD DORCHESTER TO W W GRENVILLE

No 26 Quebec 27th May 1790

See 1 to 7

Sir

Late Accounts from Niagara, copies of which are inclosed state that the Indians were much alarmed by intelligence of hostile designs against the posts of Oswego and Niagara.

The Commanding officer of the Upper Posts has therefore been ordered to take all necessary measures for their defence to consider any Attempt to wrest them from us as a commencement of War and to repel it as such agreeable to former orders given in December 1786

Sir John Johnson has likewise received orders to take all proper measures to meet such an event—Lieut Humphrey of the Royal Engineers has been sent to Niagara, and Lieutenant Bruyere of the same Corps to Fort Ontario to repair the damages sustained by the works in the course of the winter

The Indians about Niagara having taken umbrage at some part of Lieutenant Colonel Harris's conduct towards them, it becomes necessary to relieve him from the command of the Upper Posts Lieutenant Colonel Gordon with the 26th regiment will therefore be sent to Niagara and Major Smith with the 5th regiment to Detroit

I am &c.

DORCHESTER

The Right Honble

W W Grenville

(Q 44-1, pp 238-9)

The following letter from Lord Dorchester to Sir John Johnson shews that he was greatly disquieted by reports of hostile designs and was not inclined to ignore them.

From Lord Dorchester to Sir John Johnson

Copy Quebec 31st May 1790

Sir

Though I may be inclined to think with you that the United States have no hostile designs at present, yet it is necessary that every preparation be made on our part to meet such an event however improbable

The garrison of Oswego shall therefore be strengthened and the Commanding Officers of the Upper posts ordered in the event of hostilities to furnish Arms and Ammunition to such of the Militia of their Districts as may stand in need of them upon your requisition as far as the quantity in store may admit, consistently with the immediate defence of the garrisons

You will be pleased to inform me, whether any and what arms and accoutrements have been restored to the several disbanded Corps of Royalists in this Province from the deposits in the Upper Country in consequence of the General Order of the 16th of February, 1789, and what further quantity may be requisite to be deposited at the different posts to arm the Militia of the Western Districts in case of emergency

I also wish to know your opinion whether it may not be advisable in case of further continuance of hostile appearances to embody a Battalion of Militia in the Upper Country under the Ordinance of 1787

As the Mohawks on the Grand River have not been able to preserve peace among themselves and a part has in consequence of their quarrels quitted the Settlement there is still greater reason to fear that an Accession of others not of the same tribe will renew these Evils and occasion much uneasiness to themselves, as well as to the Loyalists, besides the general detriment to their own interest

I am &c.

(Signed) Dorchester.

To
Sir John Johnson Bart

Endorsed—In Lord Dorchester's to Mr Grenville No. 56 dated 17th Oct 1790

(Q 46-2, p 440.)

Among other persons consulted by Mr Grenville at this critical period one of the best informed was John Inglis, the senior partner in a firm of London Merchants deeply interested in the Canadian fur trade

FROM JOHN INGLIS TO W W GRENVILLE

Mark Lane 31st May 1790

Sir

Agreeable to your request I have the Honour to send herewith for your information a state of the Indian Trade at the different posts in Canada.

I believe I may venture to assure you that it is correct as far as any estimate of a fluctuating Trade can be made

I beg leave also to mention that the Merchants in this Country & in Canada who are engaged in this adventurous Traffick have generally a property embarked & chiefly in the Indian Country equal to two years returns & there is besides fixed property of considerable value at the Posts of which I think an Estimate was furnished from Canada for some of the departments of Government

When it is in your power to see us I will be ready to attend with Mr Todd[1] the gentleman I mentioned on Saturday He has been long engaged in the Trade & has within two years been at the principal posts He can, I am sure furnish every information you may wish relating to the Indian Trade

If Military Information is wanted, may I be permitted to suggest that Lieut Coll De Peyster of the 8th Regt can probably furnish the best He has the reputation of being a sensible & intelligent Officer has served more than twenty years in that Country & during the late War generally commanded at one of the Garrisons as I understand with much satisfaction to Sir Fredk Haldimand & with very great Reputation to himself

I have the Honour to remain &c

JOHN INGLIS

Endorsed Mark Lane May 31 1790.
Mr Inglis
R 1 June.
1 Inc
(Q 49 pp 287-8)

The statement enclosed by him was illuminating as to the extent and value of the fur trade

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[1] Isaac Todd of the firm of Todd and McGill of Montreal

STATE OF THE FUR TRADE IN CANADA

The produce in England of furrs & skins imported from the province of Quebec taking the trade at the average of the last ten years amounts to the sum of Two hundred thousand Pounds Pr Annum which furrs &c are traded for in different districts as nearly as can be ascertained as under vizt

The whole Country & Posts below Montreal	30 000	
The Grand River—The North side of the Lakes Ontario Huron & Superior	30,000	60 000
In the Country generally called the North West	40 000	
In the Countries to *Southward* of the Lakes the trade of which are principally brought to the Posts of Detroit and Michilimacinac, there being very little Indian Trade at Niagara	100 000	140,000
as above		200,000

Although there is no Indian Trade of consequence at Niagara that Post is the key of the communication to the principal Trade of the upper Countries of Canada—It is very uncertain whether the Trade to the North West can be carried on otherwise than by the post of Michilimacinac.

The American Claim extends to the Lake of the Woods if admitted they command the present Communication from Canada & in that case the Trade also as stated above at £40,000 The Trade stated above at £100 000 is carried on by Traders who go into different districts as under

In the district of the Garrison of Detroit vizt

The Fort of Detroit Segana & the south side of Lake Huron	1 000
Miamanes & Wabach Country	2 000
Sandusky	400
say	3 400

Say 3 400 packs of furrs estimated at £12	40,800

In the district of Michilimacinac vizt

On Lake Michigan

The Grand River	100
St Joseph s	300
Cheqnago	100
Milwaki	120

La Bay or Green Bay including the upper part of the Mississippi	1,500	
The South side of Lake Superior	300	
The Illinois Country	600	
	3,020 packs of	
Furrs estimated at £20 each is		60,400
		101,200

This computation exceeds the Sum in the general Estimate £1200

From this short state of the Indian Trade, it appears that if the Country & posts are ceded to America agreeable to the Treaty 3/10 of the Furr Trade of Canada will only remain for certain to Great Britain—1/5 is dependent upon Contingent circumstances—The remaining half will inevitably be lost. It is true that probably 3/5 of the Merchandise necessary for the Supply of the Indians will in any event be furnished by Great Britain but the labour of the great number of persons employed in the Trade from Canada is of importance as well as the Trade with the British Settlers at Detroit where the fixed property & cultivation is of considerable Value.

It is presumed that America is not well prepared to Garrison the Forts, to protect the Traders & carry on the Trade with Effect & that dissatisfaction or War with the Indian Nations will be the inevitable consequence of their being abandoned by the British Troops All which is humbly submitted

PHYN ELLICE & INGLIS

London, 31 May 1790

(Q 49 pp 289-90)

Captain (afterwards Admiral) John Schank who had commanded the naval force on the lakes supplies the Minister with precise information respecting the state of the military posts and ships on those waters based on personal knowledge

MEMORANDUM BY CAPTAIN JOHN SCHANK R N

1st Oswegatchie is the first place, on the navigable part of Lake Ontario at the East End and on the American side but should it be necessary there is ground on the British side which would answer the purposes intended for the Fort & Storehouses

2nd Oswego is next on the American side and in my opinion is the only place of any great consequence to them, and indeed the only one that would give them any advantage over the British in the Fur Trade, as it is the leading passage from New York through the Oneyda Lake, and as there is no ground nearer than the opposite shore which is about 40 miles across it would not be possible to prevent British Merchants from trading with those of the American States and carrying their Furrs to New York in preference to Quebec

From Oswego to Niagara there are some few Bays where Boats may lie in Summer but of no great consequence

3rd. Fort Niagara is the largest Fort and of the greatest force both with respect to guns & Barracks &c on the American side, but the ground on the opposite shore is in my opinion equally high and the soil better so that every conveniency necessary for a Post could be erected on the British side, with a Carriage road as good as that now on the American shore and the conveniences for shipping are all and ever were, on the British side.

4th. Fort Slosser is the next on the American side, and above the Falls of Niagara, chiefly intended to protect the Provisions and merchandize which may be sent up Lake Erie A Fort with all other conveniences may be erected on the opposite shore

5th Fort Erie is on the British side, and at the foot of the Lake and is as well suited for the protection of Merchandize &c as appears to me to be necessary and is near the Road where the Shipping lie

The other shore is not in my opinion so well adapted for the above purposes

6th The next place on the American shore that forms any thing like a Harbour for the reception of Vessels is Presquisle, which river leads near to the branches of several others running towards the States

7th At the West end, and towards the South side are the Sandusky & Miamis Rivers They lead away to the South into the States, and towards the Mississippi and many other branches of that River and I believe is a good Country for Furs

8th The next place on the American side is the Town & Fort of Detroit and a Settlement of some miles distance on both sides of the River, but a Fort could be erected equally as commodious on the other side as I believe there is little difference with respect to the ground The River is about the same breadth as that of Niagara which I consider to be nearly the distance of a musket shot

9th Michilimakinac and the Falls of St Mary's, Lake Superior and the Lake of the Woods, I cannot speak of with certainty as I have never been there but it appears to me that the line of division points them out as favorable to the Americans as the passage into Lake Superior is on the West side the East side being I understand rocky and almost impassable, and that most of the Furs are got to the West of these Lakes

Endorsed—

Accot of the Posts in Canada
R from Capt. Schank May 31 1790.

(Q 49 p 291)

MEMORANDUM BY CAPTAIN JOHN SCHANK R.N

List of Ships now on Lake Champlain viz

	Tons	Guns
Royal George	384	26
Inflexible	204	22
Maria	129	14
Carleton	96	12
Washington	127	20
Trumbull	119	14
Liberty	37	8

All these ships are old but repairable

List of Ships now on Lake Ontario belonging to the King

Limnade	220	16
Seneca	130	18
Caldwell	37	2

Old but repairable

2 schooners of 100 Tons each building

Merchant Vessel on the above Lakes

Schooner Lady Dorchester 90 Tons

Some large Boats or Craft belonging to the Settlers on this Lake.

Kings Vessels on Lakes Erie & Huron

Rebecca	136	16
Felicity	45	
Windot	37	
Chaboagar	37	

Repairable

The above is all the King's Vessels and built before 1783 I believe there are some others now building Belonging to Merchants on the above Lakes

Beaver	40 Tons
Saganaux	40 Tons
Industry	20 Tons
A Vessel to be launch'd this Spring	90 Tons

On Lake Superior

Two small Vessels belonging to the Company trading to the N West about 12 & 15 Tons

Indorsed Last of Ships &c on the Lakes
R. from Capt Schank May 31, 1790.

(Q 49 p 295)

PROCEEDINGS OF LAND BOARD

[1]Land Board Nassau 7th June 1790

Present Lieutenant Colonel John Butler Peter Ten Broeck Nathaniel Pettit Esquires.

The Board, having met according to appointment took into consideration several petitions viz two from the Distressed inhabitants of this District Dated 15th May 1790, praying a longer time than the stated period for making returns for the provisions lent to them by Government One from Elizabeth Thompson (Widow) stating that His Lordship had been pleased to grant the petitioner some lands upon an application made at Kingston last Summer praying that the Board will make known to her the quantity of lands his Lordship will be pleased to allow her also a petition from Samuel Street Esquire which the Board submit to his Lordship's consideration

Sir John Johnson was instructed to make a special journey through the western parts of the province to inquire into any valid reasons for dissatisfaction in his dual official posts of Superintendent General of Indian Affairs and Superintendent of the New Settlements

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[1] See also Papers and Records Ontario Historical Society, Vol XXIV p. 142

From Lord Dorchester to Sir John Johnson

Quebec 17th June 1790

Sir

The paternal benevolence of the King's Government requiring that all causes of dissatisfaction and uneasiness among the Indians and among the settlers in the Western Country in general be minutely investigated and removed and His Justice requiring at the same time that all His servants shall execute their respective trusts with fidelity free from doubts or suspicion I avail myself of Your zeal and experience for the accomplishment of these objects which I am persuaded will be best attained by your personal exertions on the spot

You will therefore be pleased with all convenient speed to repair to the western parts of the province where,

1 You will make all necessary inquiries into the conduct of the officers of the Indian Department in the discharge of their general trust as well as the due observance of the established orders and instructions at Niagara Detroit and Michilimackinac, if the season and the business of the two first mentioned posts will admit of your going so far

2 You will take all proper means to discover the true temper and disposition of the Indians about the different posts and trace as far as possible the true origin of the late alarms spread amongst the Six Nations of hostile designs against the posts of Oswego and Niagara as well as the causes of certain irregularities supposed to have been committed by the Indians near Detroit in consequence of which several of the Loyalists settled are said to have been obliged to abandon their farms These matters require the greater attention as they may be connected with the secret Machinations of designing persons inimical to the King's Authority and Government It will be expedient to institute a solemn Inquiry into the truth and origin of the disorders complained of at Detroit by convening the Indian Nations whom it may concern and requiring them to discover the motives of their conduct, examining each of the injured settlers as may be within reach and all others who may have any knowledge of these transactions, taking proofs upon Oath and reporting the result with due particularity

3 You will make diligent inquiry into the truth of the reports mentioned in a former letter of the 12th of April last that several persons in the King's service, and others the King's subjects, in this province are possessed of, or have interested themselves in the acquirement of Titles to lands beyond the line marked by the late Treaty of peace in the Upper part of the country under the pretence of title from the States or their subjects or

the Indians. You will endeavour to ascertain all necessary particulars relative to such acquisitions, agreeable to the aforementioned letter, and extend your inquiries in this respect to any points interesting to the government, particularly what is the nature and object of the pretended titles, and the views and aims of their Associates, and whether any of the persons above described have actually taken Oaths of fidelity to the United States, or any of them, and what duties are exigible or expected as the condition for the enjoyment of such property. And you will at the same time inform yourself as fully as possible, upon the present condition of the more recent occupations under the American States in their Approaches to the Line of Partition, and in your report of the strength and Intention of the settlements, communicate your ideas upon the probable consequences and especially as to such as appear to you to give any ground for more than ordinary apprehension.

4. You will make the strictest Inquiry into all ill founded claims of individuals within the treaty line unfriendly to the general progress of industry and contentment in the western districts, and into every illegal practice countenancing pretensions of title not warranted by Authority derived from the Crown. And I trust that your influence with the Indian Nations will enable you to prevent any ill designing persons from rendering them instrumental in any partial projects injurious to the public peace and tranquility, subversive of the benevolent intentions of the government and repugnant to the rights of the Crown as the only fountain of title to all the subjects of its protection.

5. You will in general lend your aid in all matters interesting to the prosperity of the western settlements and for that end sit as president of the different Land Boards wherever you may be present.

The Land Boards will bring you acquainted with the impediments they have met with, and they will not lose the opportunity of your presence and aid for concocting the means to remove them and for the speediest and fullest representations to me in all the instances requiring the special and more effectual interposition of the government.

It is of the highest consequence to the strength and prosperity of the western frontiers that the legal settlers who have obtained locations under the Authority of the Boards set down in the firm confidence of the Royal protection, and it is necessary to that end that their minds be free from every apprehension of insecurity and vexation.

6. On your arrival at Detroit, you will endeavour if it is not already done, to effect as extensive a Purchase of Indian

lands on the North of Lake Erie, and along that shore up to Lake Huron as may be consistent with the comfort of the Indians but their consent and full approbation is indispensably necessary

7 It having been represented to me that in the year 1784 Orders were given by General Haldimand to Captain Caldwell to collect and take with him to Detroit such of the disbanded Rangers as might wish to settle in that vicinity upon a certain tract ceded by the Indians with whom they had served during the war for that purpose, that the then Lieutenant Governor of the post was at the same time ordered to give them the aids granted to disbanded Troops and Loyalists in the province, that a small number of rations was actually issued to some of these people at Detroit in consequence of the said orders but that there are now complaints of a number of persons of this description having been deprived of provisions to which they were entitled—You will make diligent Inquiry into the foundation extent and equity of these claims, and report thereon

8 You will give such directions on the spot with regard to all matters concerning the Indian Department as you may find requisite and upon your return or previous thereto if necessary make full and particular report to me respecting all the objects of these Instructions and on all other points connected with the security comfort and welfare of the Loyalists which may occur in the course of your inquiries, together with your opinion of the proper measures to be pursued therein for the advancement of the King's service and the prosperity of his subjects in that part of the province

I am &c.

Dorchester

Sir John Johnson, Bart

(Q 46-2 pp 442-8.)

By a second letter Johnson was required to make a particular investigation into the conduct of Colonel Butler which had seemed so reprehensible

From Lord Dorchester to Sir John Johnson

Quebec 17th June, 1790

Sir

In addition to the Third Article of my letter of instructions to you dated this day and by which you are directed to make diligent enquiry into the truth of the reports mentioned in a former letter of the 12th April, last that several persons in the

King's service and others the King's subjects, are possessed of Lands beyond the line marked by the late Treaty of peace, I think it necessary to Acquaint you, that a letter dated the 20th October, 1789 and received the 23rd April last states that it had been reported that some of His Majesty's subjects now residing in Canada, have been in great measure parties in the purchases made of the Indian Lands, and that it is believed that Colonel Butler is largely concerned in these grants, and further it is desired in case the report is founded that Col. Butler be called upon for a justification of his conduct in this respect, it appearing on the first view to be no less than applying his influence with the Indians and which he derives from his official situation, to promote the objects of the United States of America, and to further his own private interests—Wishing to give you every information I likewise enclose you copies of Letters from Lieut. Col. Butler and Lieut. Col. Harris of the 18th and 26th May last on this subject—I must add to the above that there are reports, that it is Colonel Butler's intention to withdraw himself to the States.

You are therefore desired to be very minute in your Enquiries on this head tho' at the same time you will proceed with all that delicacy you will perceive the nature of the case may require, and if you find as suggested, you will be pleased to call upon Colonel Butler to explain the reasons of his conduct, and report the same accordingly with your Opinion thereon.

I am &c.

DORCHESTER

Sir John Johnson, Bart.

(Q. 46-2, pp. 449-50.)

The number of applications to the District Land Board had become so large as to render weekly meetings advisable and it was decided to take a vote of the inhabitants on the site for a town.

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau, 21st June, 1790.

"Present: Lieutenant Colonel Harris, Commanding the Upper Posts, Lieutenant Colonel Butler, Peter Ten Broeck, Robert Hamilton, Esquires.

"The Board having met, are of the opinion that from the variety of business which will come before them it is necessary to have regular and stated meetings for the despatch of business and do for that purpose appoint every Monday at eleven o'clock in the forenoon for that purpose. That the inhabitants of this

District be advertised of it accordingly and the Clerk proceed to fill up the certificates of location for such of the settlers whose claims are free from dispute The Board recommend meetings of the Militia to be called for the purpose of taking the sence of the inhabitants respecting the most eligible Plan for a Town and Public Buildings The following places* are offered for their choice, 1st The Crown lands near Captain McDonnell's farm 2nd the center of Township No 1 on the banks of Niagara River 3rd the rise of Mount Dorchester above the landing 4th, the Glebe lands on Mount Dorchester and that the same be reported on the second Tuesday of July next. Adjourned to Monday 28th inst

*The Crown lands mentioned above are solely meant with application to and the consent of Government obtained

J A H. R H P T B

"Land Board Nassau 28th June 1790

Present Lieutenant Colonel Harris Commanding Upper Posts Peter Ten Broeck, Robert Hamilton, Esquires

Major Robert Matthews, who had been Military Secretary to General Haldimand and his successors in command for nearly eight years 1778-1786, and was known to have made an official tour of inspection of the western frontier posts had been called upon to make a special report on the subject of their contemplated evacuation for the information of the Colonial Secretary

FROM MAJOR ROBERT MATTHEWS TO EVAN NEPEAN

Plymouth Barracks 9th July 1790.

Sir

I am sorry that owing to the Reviews and sudden march of the 53rd Regimt from Bridgnorth to this place I should thus long have been prevented communicating to you for Mr Grenville's information remarks upon the upper country and Posts in the Province of Quebec from reference to my notes when in that Country such as they are I have now the honor of submitting them.

In the year 87 I went from Quebec to Detroit[1] having various instructions from Lord Dorchester one of which was to make every possible enquiry respecting places of Embarkation and fit

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[1] See No 39 pp. 111-2

Posts upon the Lakes Ontario and Erie as substitutes for those at present occupied, in the event of their being given up to the United States of America. From the best information as well as from my former knowledge of the Country, I found that on Lake Ontario there is no place beyond Niagara fit for that purpose nearer to it than Toronto (about 60 miles) the shore on that side being shoal and without any harbour this seems to preclude all communication between these Lakes in the vicinity of Niagara should that place be given up (unless a Post is established on the opposite side of the River) which, on account of the Trade as well as the fine settlement thence to Fort Erie and beyond it (about 80 miles in Extent) would be a melancholy necessity, as it would lay them open to the Americans, which the sanction of a post at present prevents. There is a point of land on our side of the River, opposite to Niagara which forms the mouth of the River equally well situated to command the entrance of it—this Point and a necessary portion of land was reserved to Government by Sir Frederick Haldimand with a view to the necessity of one day taking Post there—about 1100 yards up the River on the same side there is a harbour where the vessels formerly wintered & where they can run alongside a Quay

Fort Niagara is situated upon an angle formed by the Lake and River the side next the land was two half Bastions with a long curtain and Ravelin all of sod work, there is a strong stockade in the ditch which is dry and on the Berm a smaller line of Pickets sloping outwards, there are two Blockhouses of mason work in the gorges of the Bastion mounting each two pieces of cannon en barbette which commands the whole country within their range.

The sides next the Lake and River are stockaded the former not open to attack except from the Lake nor the latter but from the opposite side of the River (at the distance of 7 to 800 yards) this side has two Bastions mounting 12 & 18 pounders the whole in a good state of defence

Fort Schloser or little Niagara is situated at the upper end of the carrying place, 14 miles from Niagara it is an inconsiderable stockade intended merely for the protection of stores & merchandize, while in waiting for conveyance, and will lodge an officer and 40 men—On the opposite side of the River a reserve of land was also made in order when it might be necessary to remove the carrying place

From Fort Schloser the conveyance is in Batteaux to Fort Erie, 18 miles farther and the Post of Embarkation upon Lake Erie for Detroit this is the only Post remaining to us by the Treaty

The work consists of four small Bastions, two of bad mason work washed by the Lake and two on the land side stockaded, it is quite in ruin, and was originally very improperly placed, being commanded within a short musket shot and exposed to injury from the Lake in Southerly and Westerly winds. if we keep that Country, a good Post here will be indispensably necessary.

Detroit is situated 18 miles up the River from Lake Erie its principal defence is a sod work hastily thrown up on the commencement of the Rebellion it has four sides with half Bastions, a Fraise upon the Berm, and a good stockade in the Ditch. the greatest diameter of this work is not 300 feet; it commands the upper part of the Town (at the distance of 250 yards) but the other part, situated upon a slope to the River is not seen from it there are about 22 nine & six pounders mounted here with Barracks, Stores, &c proportioned to its size, it is connected with the Town by a strong stockade flanked by wooden block houses, all which form a good defence against musketry or any sudden attack. Should this Post be given up and another taken the most convenient place will be at the entrance of the River upon a point at present occupied by some officers & men who served the war as Rangers with the Indians—the channel for ships runs between this Point and Isle au bois blanc, which should be also fortified the distance from each to mid channel about 200 yards. There is a fine settlement running 20 miles from this point on the north side of the Lake.

The next and last Post on the communication is Michilimackinack at the farther end of Lake Huron situated upon an Island about nine miles from the main the works here never were finished and its insular situation is its chief defence, this is the great resort of the Fur Traders, fitting out for the N. West Trade and the centre of a very considerable one in that vast Country to the Mississipi for this Post no good one I am inclined to think can be substituted nearer than the Falls of St Mary very many leagues from thence, that might answer for the N. West Trade as the Furs are brought from thence down the Grand or Ottawa River directly to Montreal leaving the Lakes to the Westward but the loss of Makina will entirely sever from us the Western Trade above mentioned which is carried on by the Lakes the greatest part of which, there can be little doubt, will pass by the Oswego River into the United States and the N. West Trade or a part of it must ultimately be drawn that way also from the same cause.

I cannot finish without taking notice of the Post of Cataraqui (now Kingston) situated in a Bay on the Lower end of Lake Ontario—it was a considerable Post for Trade with the French well fortified and garrisoned but was never occupied by us until the year 83 when the Commander in Chief considering it a proper place to withdraw the Provisions Stores &c to, in case the Posts should be relinquished established a Post and Settlement of Loyalists there extending many miles upwards which has daily increased and will if not interrupted continue round that side of the Lake to Niagara—at Kingston there is an excellent Harbour and here the Trade upwards will embark for Niagara.

Without Posts of strength in that Country it cannot be expected that much of the Trade will remain with us and how far it may be preserved by forming Posts in lieu of those we now occupy is I think very problematical. The Indians have ever since the Peace dreaded our relinquishing the Posts and will assuredly take the alarm whenever that happens after which their Friendship can, of course, no longer be depended upon

I have the honor to be with great esteem, Sir

Your most obedient and most humble Servant

R MATHEWS

I have annexed an Abstract of the Peltries from the N West & Michilimackinac & Dependencies I think of the year 88 on which you may depend.

(Q 49 p 309)

Dorchester suggested the expediency of promoting the exportation of the produce of the United States through the port of Quebec by a treaty of commerce.

FROM LORD DORCHESTER TO W W GRENVILLE

Quebec 21st July 1790.

No 43

Sir

While the affairs of this Country are under consideration it may not be amiss to submit to the wisdom of His Majesty's Councils whether it is not expedient to allow all the produce of America of what kind or nature soever which shall come to the ports of Quebec or Montreal by Land or Inland Navigation to be exported by sea, under the same regulations and with the same advantages as the produce of this province, leaving the Provincial Legislature to regulate the internal consumption as their own interest may require It seems to me that this measure, in the natural course of things must produce three considerable advantages Canada must gain by the passage of all commodities through the Country Great Britain by an increase of her carrying trade and both by interesting our neighbours to preserve in the hands of Great Britain this outlet to the sea and to the most profitable markets for all their produce, the advantages of this system will increase in proportion to the extent of its operation

Perhaps it may not be advisable at once to open to the full extent all these indulgences, but to leave it to the Governor as at present the power of extending them as the condition and progress of things may require that our settlers on the north side of the lakes may acquire strength and get the start of those on the opposite shore in population improvement of their settlements and the Navigation of the upper Lakes

Though it does not appear at present to be our interest to encourage the settlements of our neighbours south of those lakes and the river Saint Lawrence, nor yet to check them by any violent measures, but to let them take their own course, while they keep at a proper distance, we ought nevertheless to pay a vigilant attention to their progress, and act as the change of things may require, taking great care firmly to establish in those parts the national character for justice moderation and liberality never to be departed from under any change whatever however uniformly this policy be adhered to near the source of government, to establish and maintain it in those distant countries will require great care and constant attention.

It appears to me highly proper to form alliances with our neighbours as soon as all things are well matured for that purpose, but their own interest alone can render them zealously attached to us and give duration to any of their engagements

I am &c

The Right Honble DORCHESTER

W W Grenville

(Q 45-2 pp 532-4)

Mr Grenville repeated the previous instructions to Lord Dorchester that every effort should be made by the officers of the Indian department to restrain the Indians from attacking the frontier settlements of the United States.

FROM W W GRENVILLE TO LORD DORCHESTER

No 29 Whitehall, 4th August 1790

Right Honble
Lord Dorchester

My Lord,

I have had the Honor of receiving and laying before the King Your Lordship's Dispatches No. 19 to 38 inclusive I have also received your Three Letters marked "Private and separate" of the 27th of May & 7th June.

At the same time that I acknowledge the very full Intelligence upon Indian Affairs contained in No 26, 35 37 and others I must lament the Depredations and Excesses which they state to have been committed by the Indians on the Ohio and near Detroit particularly on account of the Embarassment and Danger which may arise from the Americans sending an Army against them

Every Endeavour should on this Account be used to restrain them and I hope that Colonel Butler's exertions to that End and the Message of Remonstrance which has been sent to them from Detroit will have proved effectual

The Probability of Your Lordship's speedy Return to England and Lieutenant Governor Clarke's Presence here at this moment make it more unnecessary for me to enter into a Discussion by Letter of the several Matters under consideration in the Indian Department or of the subjects mentioned in your other Dispatches.

I am &c

W W Grenville

(Q 45 2 pp 510-11)

Immediately after his arrival at Niagara, Sir John Johnson complied with one article of his instructions by presiding at two meetings of the Land Board

Proceedings of Land Board

[1] Proceedings of a Land Board Held at Navy Hall, the 23rd August 1790

Present Sir John Johnson, Bt President, Lieutenant Colonel Harris Commanding Upper Posts, Lieutenant Colonel Butler Peter Ten Broeck Robt Hamilton Esquires

'The first business brought before them respected the disputed line in the front Concession from Showers to the upper part of Township No 1, when the Board taking into consideration that by the first line these lots were settled, that any alteration now made in them must derange the whole settlers and that this matter was also formerly determined by a Board of Magistrates before any Land Board was formed

"They determined that the original lines as made by Allan McDonell in these front lots shall be held good and that the occupiers shall keep what lands they possessed in consequence of that original survey

"A memorial from Augustus Jones was laid before the Board stating his services since Mr Frey's departure from this settlement as surveyor and that these have not in any way been compensated for The Board considering that his time this Winter had been entirely taken up in this service direct that application by petition shall be made to head quarters that the pay of the person appointed surveyor may for that period be given to Augustus Jones and to be continued to him while the Board shall think proper to employ him in that line

Adjourned to the 25th Instant

"Land Board held at Navy Hall 25th August 1790

"Present Sir John Johnson Bt President Lieutenant Colonel Butler Peter Ten Broeck Esquire, Robert Hamilton Esquire, Nathaniel Pettit, Esquire

"A disputed Claim on lots No 19 and 26 in the first and second concessions of Township No. 1 between Lieutenant Colonel Butler and John McNabb Esquire determined in favor of Lieutenant Colonel Butler as the certificate by which Philip Frey held these lots and which he had assigned to John McNabb was found illegal being signed by John Collins posterior to the regulation depriving all surveyors of that power and vesting it solely in the Land Board

"A memorial from a number of the principal inhabitants, officers of Militia and others stating the want of a place to erect public buildings on and praying Lord Dorchester to grant them a part of the lands near Navy Hall reserved for the use of Government was presented and being approved of was directed to be transmitted to his Excellency and the President Sir John Johnson is requested to take charge of this

"Received a Letter from Augustus Jones stating that a number of chain bearers and others employed by Mr Frey still remain unpaid the Board resolve to take the accounts in which these are included into consideration the earliest opportunity

"Adjourned until to-morrow 26th instant

N B.—The Board did not meet pursuant to this adjournment"

The interpreter who had been present at the councils of the Six Nations held to consider the sale of their lands in the State of New York gave the following circumstantial account of their proceedings, which was supplemented by written statements from Ralfe Clench Joseph Brant Augustus Jones and Colonel Butler himself and a complaint from some chiefs of the Senecas who were dissatisfied

STATEMENT BY WILLIAM JOHNSTON

William Johnston Interpreter at Niagara for the Six Nations his Account of the Transactions with respect to the Sale of the Indian Lands.

Buffaloe
Creek 20th
Octr 1787

Mr Livingston and Doctor Benton sent a Message to the Six Nations inviting the principal Chiefs to the fire place

Old Smoake and the Chiefs sent the farmer's brother a Seneca Chief and two or three of each Nation to let Livingston and Benton know the season was too far advanced for them to attend the meeting and many of the principal Chiefs were absent that those Warriors now sent were to cover over the fire until the spring & not to enter on any business whatever

Mr Livingston & Benton had said in their speech they were impowered by Congress to hold a treaty with the Indians of the Six Nations at Canadasaga

Novemr 20th Several of the Warriors sent by Smoake to cover up the fire returned from Canadasaga and informed him and the Chiefs that Livingston and Benton had taken a Lease for the whole Indian Country that when they signed the paper they were told it contained speeches that passed between them and an Agreement to see each other in the spring at that place there is every reason to suppose Abeel[1] and a few others were bribed to get the Lease signed

Old Smoake being unwell and not able to do business at this time the Chiefs applied to Colonel Butler for advice as they heard all their Country was sold by a few young men which sale they did not think legal

Livingston & Benton being to pay for the Country sold in the spring at Canadasaga the Chiefs wished Colonel Butler to be there at that time as they were determined not to Agree to the sale or to part with their Country—Col Butler said everything in his power should be done to assist them, but he could not see what steps to take in order to recover the country as they had given a Lease for the whole of it, that if he could think of anything proper to be done, he would let them know—he then said there was one thing he had thought of that might serve them which was for the Chiefs to give him and some other person a lease of the Country and date it before the date of that given to Livingston and Benton, he desired them to consider of it and if they agreed to it they might keep the Land or he would keep it for them, the Chiefs readily agreed to this and in March he, Capt. Powell and Mr. Murphy got the Lease signed by the Chiefs at Buffaloe Creek which Colonel Butler said was the only thing that could serve them

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[1] John O Bail

April.—The Six Nations had a general meeting at Buffaloe Creek and sent for Colonel Butler to be present as they had received a message from Governor Clinton inviting them to a meeting at Fort Stanwix—Colonel Butler and Lieut. Vassall of the 65th Regiment came to the meeting when the Chiefs agreed to send a Message to Governor Clinton Mr Livingston & Benton, inviting them to their fire place at Buffaloe Creek where the business of the Six Nations was done the Chiefs then insisted on his going with them to Canadasaga to take Messrs Livingston & Benton by the hand and lead them to Buffaloe Creek the fire place of the Six Nations he told the Chiefs he could not do this without leave of the Commanding Officer and advising Colonel Butler of it and it was inconvenient for him and the Chiefs still insisted on his going and some of them went to Niagara and acquainted Col. Hunter and Col. Butler that they were desirous he should go with them which they approved of

In May he left Buffaloe Creek with three or four Chiefs of each Nation of Senecas, Onandagas & Cayugas on the way he strongly recommended it to the Chiefs not to accept of any present from Livingston or Benton but only deliver their Message get an answer and return the Chiefs requested he would use his endeavours to prevail on Livingston & Benton to go with them to Buffaloe Creek where the business could be settled in the presence of all the Six Nations

In June they arrived at Canadasaga when the Chiefs delivered their message to Doctor Benton and a Mr Gilbert Livingstone not being there, Benton said he did not intend to Comply with the Chiefs request not thinking himself safe in going to Buffaloe Creek and their Agreement with the Six Nations was to pay them at Canadasaga and as there was a sufficient number of Indians present he would pay them for the Country they had purchased he then told the Doctor he thought the Lease was not Legal which they had taken for the Indian country as not one principal Chief had signed it and that those who had were not authorized to do it, that he thought for their own safety they should go to Buffaloe Creek and have the matter settled, as the Indians in general were greatly dissatisfied, and that any agreement he might make there would be by the consent of the whole of the Six Nations. Benton then said he was informed some gentlemen at Niagara would do all in their power to prevent the Indians parting with their Country which was one reason he declined going to Buffaloe Creek he said he knew nothing of this and that the Indians could act as they thought proper respecting the sale of the Lands, that he could see no danger in their going to Buffaloe Creek

A Mr. Barton, Benton & Gilbert then had a long Conference together, and the next morning Benton & Gilbert told him they had agreed to go to Buffaloe Creek and that Doctor Kirtland would go with them. The third day after they left Canadasaga, and about twelve miles from it met Mr Phips and Mr. Lee who had been at Niagara and were returning Phips told Benton he was glad to see him and wished no time might be lost in their going to Buffaloe Creek where they arrived the   of June, he left them in the Indian Village and went to his trading House at the mouth of the Creek where Colonel Butler arrived in a few days and desired him to go with him to the Village which he did

The first business the Chiefs entered upon was an Enquiry about the Lease taken by Livingston and Benton and desired to see all the papers and have a particular account of what passed at Canadasaga at that time

Mr Phelps let the Indians see the Authority he had to treat with them having purchased from the State of Massachusetts Bay whatever Claim or pretensions they had for making Purchases from the Indians and his business was now to treat with the Six Nations for a sale of Land Benton then told the Chiefs if they agreed to dispose of a part of their Country he would give up the Lease he had taken at Canadasaga they Answered that they would consult among themselves, Colonel Butler then gave up the Lease which Powell Murphy & he had got the Indians to give by the Colonel's advice, the Chiefs were consulting four or five days but could not agree in opinion the Seneca Chiefs desired to have Colonel Butler's advice about parting with their Land he said they had not asked it before which he thought they should have done or why did they send for him, that it now appeared to him it would be best for them to part with some part of their Country as the Lease they had given to Livingston & Benton would not be delivered up if they refused it and Phelps said he would join Livingston & Benton, that it was better for them to have some part of the Country than to part with the whole that he only gave his advice and the Chiefs might do as they pleased

The Chiefs frequently asked his advice, he said he was only a trader among them that he wished they and the people of the United States might settle the business peaceably three or four days more passed in consultation when the Seneca Chiefs sent for him and told him they had been all night with Phelps Benton, Gilbert & Lee that they insisted on having the Country to the Genesee River two miles below the Canawagaras Village on that River and about miles from Lake Ontario then to cross the River two miles below Village a west course twelve miles keeping twelve mile distance from the River until it came to Lake Ontario and that two miles below Canawagaras Village up the Genesee was to be the Line between Mr Phelps and the Six Nations that they had not informed the other Nations of it as they intended first to speak to Colonel Butler and then inform the other Chiefs of it, and desired him to let Col Butler know they wished to see and consult him when the Seneca Chiefs informed Col Butler of it he said he was glad they were like to agree with Phelps & Co that they had been long about it and he did not think they would have parted with so much of the Country the Chiefs said it was not in their power to settle the affair in any other way

The June the whole of the six Nations agreed to give Phelps & Benton a Lease of the Country according to the before mentioned bounds Col. Butler Captain Brant & Mr Kirtland[2] were appointed by the chiefs to fix the price for the Country sold Phelps was to pay Dollars at the first payment and five hundred yearly Benton's first payment was to be Dollars and one thousand dollars every year, the Chiefs signed the Lease and Colonel Butler and Kirkland[2] signed as witnesses as he was leaving the village Mr Street told him that Mr Phelps wanted to see him when Phelps & Benton asked him if he would have any of the Land they had purchased he informed Col Butler of this who told him he saw no impropriety in his having lands from Phelps & Benton that he intended to get some for his relatives in New England if he could have them cheap Capt Powell Barton Murphy and himself then agreed to take lands from Mr Phelps and Mr Street & Barton said if it was left to them they would settle it with Mr Phelps, and Mr Street said some hard money would be wanting and asked Powell and him how much they had Powell said about three hundred pounds York Currency—Mr Street said that would do, for their parts, for the first payment, and that he and Barton would endeavour to hold fourteen shares in Phelps purchase as in a short time these lands must be very valuable—Powell and he gave the three hundred pounds being easily persuaded out of their

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[1] Probably a clerical error for Phelps.

[2] Samuel Kirkland the missionary.

money, for which they have had no satisfaction and were as much deceived in parting with it, as the Indians were in parting with their Country.

The 19th of September he received a letter from Col Butler informing him of the death of Mr. Stevens, and that he had recommended him to Sir John Johnson as Interpreter to the Six Nations, and desired him to come to Niagara as soon as he could, which he did, after being there a few days, he spoke to Col. Hunter about those who had lands in Phelps & Benton's purchase Col. Hunter said he saw no impropriety in holding Lands in the states but advised him to make the most of them as soon as he could, he then enquired of Mr Street the quantity of land in a share as he was to have one. Street said about twenty thousand Acres, he then said as he was in the service of Government he did not think it proper for him to hold these lands and wished Mr Street would sell them for him. Mr Street answered that he & Col. Butler had more lands themselves than they could dispose of, he then found out the only money that had been paid was his & Powell's £300—for which they have nothing to shew that they have any share or right to any part of the before mentioned Lands, or has he concerned himself about them since

The Senecas, Onanuages & Cayugas have lately given one Allen a Township on the Genesee River for his Two Children he had by an Indian Woman, for which he was to give the Indians Sixty Bushels of Indian Corn annually the Deed was left with Col. Butler until Allen complied with his Agreement

D

Endorsed— 16th

In Lord Dorchester's
to Mr. Grenville No. 56.

(Q 46-2 pp. 479-90.)

FROM RALFE CLENCH TO SIR JOHN JOHNSON

Nassau, 28th August, 1790

Sir

Permit me to offer for your perusal a few minutes I have taken since the purchase made by some Americans of part of the Six Nation's Country, being informed by Doctor Kerr that you are desirous of gaining every information you can relative thereto, as an officer and Inhabitant of this District I think it a duty incumbent to make mention of every circumstance that has fallen within my knowledge

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[1] Ebenezer Allen.

1stly Some time in June or July 1788 I accidentally met with a Copy of a Letter from Samuel Street Esqr (of Nassau) to the Principals of the Land Company acknowledging the receipt of their Letters by Major Scott Mr Shaw and Capt Bartell thanking them for admitting him amongst the number of intended Proprietors, and as a Proprietor gives his advice, which was that it would be well worth while to take in with them as proprietors, some people of this settlement such as he could point out, and even to allow some of them a share gratis who from their influence with the Indians would be able to make the purchase with more ease and not that only but would from being amongst them in time be able to prevail upon them to move over to those Lands granted them by Government at the Grand River by which means a purchase of the rest would be the more easily effected

This is as nearly the purport of the letter as I can recollect having a few days after I met with it sent it by Doctor Wright to Lieut Col Hunter then our Commandant.

2ndly Augustus Jones (Acting Surveyor) was at Buffaloe Creek the time of the Treaty who mentioned that he heard Col Butler say that the Dish was now offered them (the Indians) if they did not feed themselves it was their own faults, that they before called upon him to witness their Bargains if they did not now determine he should not attend again as they had so often made a fool of him that he heard William Johnson (now Interpreter) tell Col Butler that they should be cautious how they acted as he believed there were people there as Spies upon their Actions after they compleated their Purchase, Captain Powell told him the reason they gave so high a price for the Tract they had purchased was in order to get a settlement afterwards he was in expectation the remainder of the Country would fall at a lower price and further mentions that (Street) at different times wanted him to go out to survey the Lands they had purchased and that Col Butler afterwards asked him if Street had spoke to him about going out (who mentioned he had) and if he intended it or not when he told him (Butler) that he did not, who again made answer that it was nothing to him only as a Negroe man of Mr Barton's was at his house and he thought if he did go he might take him as a hand with him

3rdly Mr Sheehan Acting Secretary and Nephew to Col. Butler mentioned (the time I cannot exactly remember) that Colonel Butler had a Pre-emption right from Phelps and Gorehant who had purchased from Congress with the Right of Pre-emption and that the Country adjoining to Niagara would be his (Butler's) as no other persons purchase would be valid

4thly Some time in June 1790 was informed by Timothy Murphy one of those people who had a share in the purchase that Colonel Butler had a very large share

5thly. Was informed by Major Tice that some of Colonel Butler's relations in the United States held his (Butler's) obligation for a considerable sum of Money, which he paid by Transferring part of these Lands purchased from the Six Nations.

6thly Being at William Johnson's 16th August 1790, I mentioned the circumstances of finding the letter first mentioned, who told me how him and Captain Powel came to be admitted as Proprietors was thro' Street asking them what Sum of hard Money they had, if any, they had best put it in and take a share, accordingly they advanced £300 N. York Currency, at the same time mentioned that he was going from the place the Treaty was held to his Trading house and was followed by Samuel Street, who asked him if he did not wish to have a share of the Lands they had purchased, he replied he could not give an answer until he had seen Colonel Butler, which was soon after; and he then mentioned to him Street's proposal, and his advice was by all means to take a share if he could get it cheap, as he meant to take a share for himself and friends in the United States.

Previous to this Mr Johnston told me that Mr Phelps gave him to understand that he would give him a share in case he would not endeavour to prevent the purchase taking place.

If any part of the above proves worthy your Notice, I can at any time if called upon with safety declare as to the Truth of my assertions and produce the people mentioned who, I dare say must corroborate the same.

I am &c

Ralfe Clench

D

Sir John Johnson Bart

Navy Hall

Endorsed— 16c

In Lord Dorchester's to Mr Grenville
No. 56.

(Q 46-2, pp 491-5.)

From Joseph Brant to Sir John Johnson

Nassau 28th August, 1790

Sir,

Having reason to suppose that Government wishes to get Information respecting the late purchase of the Six Nation Country and the proprietors as I am one of these people called the Six Nations wish to give you every Information in my power as the proceedings were in my opinion not considered with either Honor or Justice from my knowledge of the weakness of numbers of us who think whatever our Agent recommends ought to be complied with—And as our Agent Col Butler and some half pay officers adherents of his interested in the purchase inclined towards the American Commissioners at the Treaty where the purchase was made as an Indian I am highly of opinion that if matters are fully explained it will be made appear that those from whom the purchase was made were swayed by those White men in power in our Department The Agent being the person placed over us by Government is the man we look up to for Advice when in critical situations, and I should think would lay private Interest aside the Interests of Numbers and those of the people for whom he receives his Salary are at the same time interested however I am sorry to think it has not been the case

Col Butler our Agent mentioned to me that Mr Phelps who is at the head of the Land jobbing Company had been at this place and he believed meant to deal fairly and was duly authorized to make the purchase and told him that if his (Phelps's) Intention was really Just he had no doubt but that I could assist him—and at the Treaty frequently said that the Depth of Twenty or Thirty Miles would be as much as we would wish to reserve and if we did not now sell that Phelps would go and join with Livingston & Co by which wo would lose our Country by force I shall at any time if called upon be ready to explain matters fully till when

I have the honor to be &c

JOS BRANT

Sir

John Johnson Bart D

Endorsed—16d

In Lord Dorchester's to
Mr Grenville, No 56.

(Q 46-2 pp 496-7)

COMPLAINT BY SENECA CHIEFS

Substance of a private complaint made yesterday by the Chiefs of the Seneca Nation and intended to be repeated by them in public Council this day

That some short time ago they (the Seneca Chiefs) gave a small Tract of Land to (Ebenezer) Allen in trust for his Children by a Woman of their Nation who lives with him but on condition that he should not alienate the same nor appropriate any part of it to any other purpose than for the maintenance of the said Children That previous to their making this grant they consulted with Coll Butler on the propriety of it and asked his Advice, and that his opinion was, that he saw nothing improper in their giving him this mark of their favor as he had been a zealous and deserving subject of the King's and suffered in his property by the Indians

That lately they made a visit to (Ebenezer) Allen on hearing that he was disposing of a great part of the Land and that on their arrival they found that the report was not only true but that he was making farther encroachments on their Land and disposing of the same in Lotts

That on their expostulating with him on this conduct his only answer was that he cared very little for their complaints as Coll Butler was equally interested with him in this Tract.

The Chiefs further say that they asked advice from Mr William Johnston and Timothy Murphy (both employed in the Indian Department) on this subject and that their opinion coincided with Col Butler's so far as to say that they (the Indians) had better give this Land to their own flesh and Blood than to the Americans

Mr Wmt Johnston the Informant further adds that Allen came to Niagara some time after this conversation happened but previous to the Deed being signed and that he then agreed to give the Informant and Timothy Murphy one hundred Pounds each for their good offices with the Indians on his behalf and for the performance of which the said Allen gave the Informant & Murphy each a note of Hand for one hundred pounds which notes are now in their possession

D

Endorsed—16 f

In Lord Dorchesters to
Mr Grenville No. 56

(Q 46-2 pp 500-01)

STATEMENT BY AUGUSTUS JONES

Nassau 30th August 1790

Sir

Some time in the month of May 1788 being at Buffaloe Creek at a Council held with the Indians and Americans in order to make a purchase of part of their Country Mr William John ston came up to Lieut Col Butler and told him they must be on their guard what they did say as there was a certain person then present who had come as a Spy and had no other Business but to hear and get what information he could A short time after that the same evening Col Butler said that this was the second or third time that the Indians had asked him to their Councils in order to be a Witness to the sale of their Lands and that some of them were against it and had still put it off but he had told them at that time that the Spoon and dish were offered them and if they did not accept of it and feed themselves, that he would not attend any of their calls after that time—Some time in the Fall 1788 I met Col Butler in the Lane near the Ferry house opposite Niagara when he asked me if I had been spoke to by Mr Street to go upon a survey at or near the Genesee River I told him that I had but that I was in employ here by Mr Frey and that I thought it would hurt my Interest by it, he told me it was nothing to him only that Mr Barton had left a Negroe with him and desired him to send him along as a hand and if I went he would be glad to know a few days after this I saw Mr Street who asked again whether I would go on a survey for him he said that they wanted me to go and begin at the Mouth of the Genesee River and take the course of it and lay it out in Townships beginning at the Mouth of said River—I told him as before (to Col Butler) and he said that he had mentioned it to Lieut Col Hunter and he said that I might use my pleasure—This is nearly as I can recollect what passed

I am &c

Augustus Jones

Endorsed—16 e

In Lord Dorchester's to
Mr Grenville No. 56

(Q 46-2 pp 498-9)

From John Butler to Sir John Johnson

Nassau 30th August 1790

I have good reason to believe that much to my Prejudice has been reported to His Excellency Lord Dorchester but what it may be I have not as yet been able to learn I must own I feel myself much hurt that anything of that nature surmised by his Lordship without giving me an opportunity of exculpating myself Some time ago you wrote me, and referred me to his Lordship who would answer my Letter but as yet have not had the Honor of receiving it

From some hints that have been given me I am inclined to believe that I have been blamed on account of the sales of the Six Nation Country to the Americans I must beg leave by anticipation to disprove anything that may have been said on that subject and am happy I can now call upon you as a Voucher for the greatest part of what I know of the transactions

In July of the year 1784 at the Black rock the Governor of New York invited the Six Nation Indians (then in Council) to a Council at Fort Stanwix in order as he said to settle their matters to their mutual Interest

The Chiefs of the different nations being met sent for me, and advised with me on the propriety of attending the meeting proposed my advice to them was that I thought they should attend in order to make peace with them and thought it was their Interest to appoint such Chiefs as were thought most proper to settle their Matters otherways they might be imposed on by the Americans—I named five who I thought the most Intelligent as well as being most attached to our Interest viz *Captain Joseph Brant Captain Abel* the *Spruce carrier Schehoas Schevonade* or through the river *Ondoga* the Fishcarrier New Coyaja—The Indians appearing very uneasy they told me that the King their Father had ceded the whole of their Country to the Americans and had not named them I told them that at this meeting they would be made acquainted if that was the case and whether the Americans would demand their Country—If the Americans should propose making a purchase of it it would convince the Indians that the right of soil was understood to belong to them (the Indians) and of course a right to sell or not as they thought proper A few days after this meeting I left on my way to England The whole of the above you was Acquainted with at the time This is all I recollect relative to Lands that passed to my leaving this

In May 1786 I returned from England to Quebec Lieut Governor Hope then shewed me the proceedings of some Councils that had been held and said that another was soon to take place that the Indians had then sold great part of their Lands and that the Americans was gaining over the Indians to their Interest very fast and mentioned some things else to that purport, which at present I do not recollect after which I believe he sent for you to Quebec but what passed between you and the Governor your recollection may not now assist you in

Governor Hope informed me I was immediately to proceed to Niagara and that the Superintendant would give me the necessary orders but on my arrival at Montreal you said you thought it unnecessary except I myself choosed it I mentioned this to the Governor and received an answer thinking it was very necessary for me to go to Niagara and that he should not think me neglectful I shewed you his letter and said that I intended setting off next day I arrived here in the month of August 1786 when I found a meeting had taken place at Canadasaga. I set off immediately for Buffaloe Creek and overtook Captain Brant at Fort Erie on his way to Detroit I then made every enquiry to find out the purport of the meeting and was told that the Americans had called a Council that they had sent some Chief Warriors to Cover up the Fire till another time which they supposed was done. A few days after some Accounts were brought that their whole Country was sold to the Americans by some of their young people without the consent of the Chiefs—This intelligence gave great uneasiness to the Indians at Buffaloe Creek &c. I endeavoured to make the Indians as easy as possible untill the Chief Warriors that they had sent to Cover up the Fire returned For the space of fourteen days after my arrival I heard nothing of their return when I was shewn some papers signed by four or five proprietors that the Six Nation Indians had leased the whole of their Country to Mr Livingston and his Associates—for one hundred and ninety nine years paying an Annual Rent of one thousand Dollars—when some of the Indians returned they brought Mr Livingston and his Associates Note and Copy of the Lease, and some other papers which I then sent to you together with every information that came to my knowledge—I then advised them not to allow any surveys to be made nor any person to settle any part of their Country but to Acquaint their Governor of the Advantage that had been taken which I believe they did and received a letter and advertisement from the Governor advising them not to let the Lessees survey or settle but that every justice should be done them—Those papers I also sent you at the time—Mr Livingston had in this Lease included the Lands ceded to the Massachusetts state who had agreed with Messrs Phillips & Gorham for the same On Mr Phillips his Arrival at Canadasaga he found the Indians disputed the sale—after which with some more Gentlemen he came to Niagara—I waited on Lieut Col Hunter & told him their business—After a Consultation between him and I we were of opinion by the Indians selling part of their Country to Messrs Phillips and Gorham it might be the means of getting the Lease Invalidated We accordingly told them if their Intentions were fair they ought to call a Council at Buffaloe Creek and when the Indian Council fire was kindled in the presence of the whole six Nation Indians to make their Proposals & if agreed to would be looked upon as binding from the Indians but, that any transactions at any of their present meetings with a few young men would never be esteemed fair or binding nor would they ever allow a settlement to take place in

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[1] Phelps

their country by any such clandestine purchase—This being told Mr. Phelps he called a Council at their fire. The Chiefs previous to the Council came to Col. Hunter and myself for our advice and desired we would attend their Intended Council. Colonel Hunter declined, but said I should attend. I then asked that two or three of the officers of the Garrison, should accompany me and be present at the meeting to represent him He agreed to this and then ordered Lieuts Douglas & Vassall of the 65th Regt. to accompany me, who were present during the whole treaty at which time the Lease taken by Livingston was made void and a new one taken for that part of the Indian Country that lay within the state of New York, and that on condition they should obtain the Preemption right from the state, otherways to be void.

Mr. Phillips got a Deed for all the Lands East of the Genesea River as far as claimed by the Massachusetts state, and that on West of said River was released to the six Nation Indians free of all claims or Pretentions whatever. After the Deeds were fully explained to the whole of the six Nations by Captain Brant several times and the Consideration money agreed upon, they signed the Deeds in presence of four officers and twenty or thirty other persons and appeared to be fully satisfied except that they had forgot to reserve a Tract of land left to *me* by *Serahawana* a Seneka Chief who died during the time I was in England but on its being mentioned to Mr Phelps he agreed to give me Twenty thousand Acres in lieu of it and if that was not sufficient I might have another share paying proportion of the first cost I then told him I wanted no more than would accomodate some friends I had in the state of Connecticut and desired him to give them Deeds for Twenty thousand Acres which he promised to do and has since granted them part with his obligation for the remainder at that time He the said Mr Phelps then made an offer to a number of British subjects then there of becoming Proprietors paying proportion of the first Cost which was excepted of by Mr Street and sundry other persons but nothing was agreed upon by me or any other Subject untill Lieut Colonel Hunter's opinion was asked who said he could see no Impropriety in it—but added that the sooner we got rid of it the better—The whole of the above was done after Mr Phelps had obtained his Deeds—Thus Circumstantially have I narrated facts and given you an account of everything I know of all these transactions, and had time permitted at present should have still given you more Corroborating evidence by the Affidavits of different people acquainted with every circumstance I have advanced and who can prove far from advising the Indians to dispose of their Lands was not made acquainted with the Sales for a day or two after it was made

As you have promised to transmit this to His Lordship I could wish to anticipate every Charge that could be brought against me Among other things which I have heard suggested since your arrival here, and what I understand has come to his Lordship's ears, I must beg leave to answer to, Vizt. an opinion or report that has got abroad of my intention of leaving this Country and alienating myself from the Interest of Government, at such an Idea I spurn with indignation and contradict any such assertion most flatly, who could harbour such a thought after a moments reflection?!! From my youth to this time my services have been employed, and I trust not unacceptably in the Interest of the British Government, a Government whose Mildness & benignity I have often experienced—at my advanced age, and to this settlement whose Interest and Welfare I have had much at heart, little did I imagine that the shafts of Calumny should have been pointed at me, and misrepresented matters so egregiously to His Lordship—In the full assurance of the purity of my intention, I remain &c

JOHN BUTLER.

To Sir John Johnson Superintendt & Inspector Genl of Indian Affairs

Endorsed—16 g

In Lord Dorchesters
to Mr Grenville, No. 56.

(Q 46-2 pp 502 511)

Sir John Johnson visited Detroit and Mackinac and presided at three meetings of the Land Board for the District of Hesse On his return to Lower Canada he prepared the following report in which, he contented himself with enclosing the statements he had obtained respecting the purchase of Indian lands together with Colonel Butler's defence and asserted that the Indians were never in better humor

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

La Chine, 13 Septemr. 1790.

My Lord,

Having had the honor to acquaint your Lordship of my departure from hence on the 25th of June, in obedience to your commands I now have the satisfaction to inform your Lordship of my return to this place after having visited the western posts as directed by your letter of instructions of the 17th of June and I have the honor to report to your Lordship that led by inclination as well as by duty I lost no time in proceeding to the western settlements and posts, and endeavouring there to forward the benevolent intentions of the King's Government by inquiring into and using my utmost exertions to remove all causes of dissatisfaction and uneasiness among the settlers as well as among the Indians, and I hope not without effect.

I made every inquiry as directed by the first Article of your Lordship's letter of Instructions, into the general conduct of the officers of the Indian Department at the posts of Niagara, Detroit and Michilimackinac, and find, though great complaints are made by the Indians dependant on the first mentioned post of the want of almost every necessary annually sent for their use, as well as of provisions, the expenditure of which Article for the last eighteen months, far exceeds that of the other posts, no specific charge alledged against the Deputy Agent or those Acting under his direction, yet I feel a concern to be under the necessity of adding that though Mr. Sheehan was put on the establishment of that Post with a view to assist the Deputy Agent as a Clerk (though under a different denomination) no part of the established orders and Instructions have been complied with, but those relating to the quarterly returns for pay & incidental expences notwithstanding my repeated directions on those subjects as well as forms sent from time to time for their further guidance I hope in future they will be more attentive having explained every doubtfull matter in such a manner as I hope will prevent all mistakes for the time to come

I am happy to have it in my power to say that I found great attention paid to every part of the Instructions and orders of the posts of Detroit and Michilimackinac very regular Books of the Receipts and Issues being kept with the signature of the Commanding officers at the foot of every issue notwithstanding which I am sorry to say that in other respects Mr Gauthier's conduct has been represented to me by Captain Parr to be such as renders him unfit to be longer continued in his present employ

From the present situation of affairs in the neighbourhood of Detroit and the Multiplicity of business Mr McKee consequently has to transact I found it necessary for the good of the King's service to employ Captain Elliot who is well acquainted with the Shawanese & Delaware language to assist him in watching and procuring intelligence of the designs and proceedings of the Spaniards, and all others who may be treating with the Indians and otherwise acting against the interest of Government and I also found myself under the necessity of agreeing to his returning a storekeeper or Clerk on his quarterly return a person who he has hitherto employed and paid out of his own purse this I hope will meet with your Lordship's approbation as nothing but a conviction of the necessity of it at this time would have induced me to comply with his request

I am happy to have it in my power to say that in consequence of the means I took to discover the true temper and disposition of the Indians as directed by the second Article of your Lordships letter of Instructions I found notwithstanding the complaints and uneasiness that may have been represented to have prevailed among the Indians they never were better disposed nor more gratefull for the many favours they have received and I sincerely believe if this Country should be so unfortunate as to stand in need of their aid, they would most cheerfully afford us every assistance in their power the Reports of Hostile designs against the Posts of Oswego and Niagara, I have every reason to think were nothing more than the vaunting of an ignorant interested Dutch trader who I have long had a personal knowledge of and am sure he would be among the last to be trusted with a secret design of importance

I made every inquiry into the supposed irregularities said to have been committed by the Indians near Detroit by assembling all the Inhabitants interested at the mouth of the river or Huron Village where I had assembled the Indians for that and other purposes and found that as in other Districts, some Cattle and Hogs had from time to time been destroyed through hunger and drunkenness, part of which they had promised to pay for and some of their effects were brought in with themselves in my presence and retained until they should perform their promise. The inhabitants declared to me, in the presence of a number of Gentlemen that they were not under the least apprehension of anything further than the loss of some of their Stock now and then when hunger and liquor impelled them to it—the inclosed copy of a conference with the Indians on the subject will shew your Lordship their own sentiments and resolutions on the occasion.

I lost no time in commencing the necessary Inquiry pointed out by the third Article of your Lordships letter of Instructions and beg leave to refer your Lordship for the result thereof to the inclosed papers of information Number one to five and to Lieut Col Butler's letter on the same subject of which I gave him full information.

From all the information I was able to collect, I cannot find that the settlements forming by the American States in the Six Nation Country and which have reached the Genesea River the Western boundary of their purchase increased in the rapid manner that was at first imagined they would nor do their numbers exceed what was at first reported one thousand families—their intention is to raise stock and Corn for the lower markets, or for the West Indies Should any rupture happen between Great Britain and the States they will be able to afford both men and provision for an attack on the post or settlement of Niagara, at the distance of about Ninety miles, either by land or water

Not hearing of any ill founded Claims in the lower districts and the Land Board of Hesse having received instructions to make the inquiries directed by the fourth Article of your Lordship's letters of Instructions to me of the 17th June, and they having proceeded in the business I must beg leave to refer your Lordship to their report

From the disposition of the Indians I have reason to think they will not be led into any partial projects that might prove injurious to the public peace and tranquility or in any wise injure the prosperity of the settlements

In obedience to the fifth Article of your Lordship's Instructions I offered my aid to the different land Boards in the Western Districts, and was happy to find that those of Luneburg and Mecklenburg had nothing that required any assistance on my part nor Could I learn that they had met with any impediments that required the interposition of Government—some difficulties and disputes of a trifling nature subsisted in the other districts which I endeavoured to assist in removing and hope not without effect

I believe little remains to ease the minds of the settlers who have obtained locations under the Authority of the Boards or otherwise but the Issuing of their Grants or Deeds which they all look for with impatience

The sixth Article being accomplished by the Purchase made by Mr McKee the Deed of which I found on my return to Montreal with the letters from Mr McKee now inclosed herewith, rendered anything further on that head unnecessary except an inquiry into the Boundary of the reserve made by the Indians of the Tract before granted to the Crown and which the land Board of Hesse have reported their opinion upon to your Lordship—the copy of the proceedings of the meeting I had with the Indians on that subject will fully explain their sentiments on that head

I mentioned to Mr Powell[1] my intention of making the inquiry and expressed a wish that the person might be present who informed him that the Chief Agouchaway had declared that he never mentioned or agreed to the reserve specified in the Deed of Sale but had been led drunk and sick with sower Red wine to the place to mark the Boundaries that are now to be seen and are expressed in the Deed and though I think Mr Powell told me the man should attend and I was afterwards informed that Mr Powell meant to attend also neither appeared though my stay at the Village was longer than I at first imagined it would be—before I left the Village Mr McNiff[2] delivered me the Boundaries of the reserve, which I had directed him to ascertain agreeable to your Lordship's directions.

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[1] Justice W D Powell
[2] Patrick McNiff deputy surveyor

Since my return to Montreal I received a letter from Mr Motz of the 5th of July with further Instructions relative to the purchase of those lands

On my arrival at Detroit the land Board acquainted me that they had entered upon the Inquiries directed by the seventh Article of my instructions and would prepare a full report against my return from Mackina but on making further inquiry on my return I was told that they had forget that they had transmitted the report to Head Quarters before my arrival this made any further inquiry on my part into the subject unnecessary

In obedience to the eighth Article of my Instructions I have left such directions and forms for the guidance of the officers of the Indian Department at the several posts as I hope will prove usefull and prevent any errors in future

The want of a regular and full survey of the Crown Lands has hitherto I apprehend greatly retarded the settlement of the Country too few surveyors have been employed and some of them ill qualified for the business particularly in the Upper Districts, by which means many Inhabitants who came in have been obliged either to abandon the Country after having expended the little property they brought with them, or to settle on the lands of other claiming under doubtfull Titles at best and great numbers have been prevented from coming in who had determined and prepared themselves for it—Nothing but a failure in their expectations of a well established form of Government and the imposition of heavy Taxes together with great encouragement on the part of our Government could now, in my opinion, recall even those who were at first from principle, led to take refuge under the King's Government an immediate complete survey of the lands lately purchased with the encouragement of one or two years allowance of provision till they could repay it might prove an inducement to some to return and to others to come in.

The want of proper Surveys throughout the District have retarded the progress of settlement and will be the cause of much future litigation which might in a great measure be yet remedied by employing well qualified surveyors to compleat the surveys of all the Townships agreeable to the King's Instructions

An addition of some Members to the land Boards of Hesse and Nassau would prove beneficial and give great satisfaction as the Inhabitants from some cause or other entertain great jealousy of the prevailing majority in those Boards I would beg leave to suggest the propriety of adding the Engineer and the Surveyor of

[1] Justice W D Powell

[2] Patrick McNiff deputy surveyor

the Districts if such there be, and two or three principal Inhabitants Mr McComb and Mr Leith of Detroit might perhaps be proper persons for Hesse, and Major Tice Mr Birch Mr Warren, Doctor Kerr and Mr John McNabb for Nassau—time will not permit me to add more at present

I am &c

JOHN JOHNSON

His Excellency
The Right Honble
Lord Dorchester

(Q 46-2 pp 458-69)

Lord Dorchester's subsequent letter to Mr Grenville in which he forwarded all these papers indicates that he was far from being satisfied with the management of Indian affairs although disposed to excuse the Superintendent General from particular responsibility for the misconduct of some of his subordinate officers.

FROM LORD DORCHESTER TO W W GRENVILLE

No 56 Quebec 17th October 1790.

Sir

On my first Acquaintance with the Indian Department in seventy five I could not but observe a certain assumed official independence and much mystery throwing the expenditure and other transactions into the dark more than the King's service appeared to require As the three or four officers who managed this department, did little more than pass through the province it was thereby broken up and an Interpreter only now Lieutenant Colonel Butler assisted the Officer Commanding the Troops at Niagara his good conduct on that occasion brought him into notice and occasioned his preferment None of those Gentlemen returned to Canada till seventy seven and even then if I remember right, only Lieutenant Claus so that while in Canada I had not experience sufficient of their proceedings to alter my first opinion of their system but the public rumours of great abuses reached me at home and the transactions at Niagara and Michilimackinac were too notorious to leave a doubt with me of the necessity of reducing their expenditure of cash and what is not less essential their expenditure of stores and Indian presents, under the checks necessary for preventing all ill grounded suspicions and complaints or at least of bringing their irregularities into public notice. For this purpose all their expenditures are to be examined by a Board of Accounts where the Comptroller objects to whatever is not duly authorized and vouched agreeable to the instructions, recommending all equitable allowances

Hitherto these Instructions have not had their full effect whether from the gentlemen's not being Masters of regular Accounts or from the difficulty of changing old habits 'tis certain that from these two posts more particularly the Accounts have not received approbation

Sir John Johnson seems to apprehend that in this business something personal is glanced at him seeing that the enormous abuses, committed before his appointment passed without such observations I suppose he alludes more particularly to a bill drawn from Niagara in April 1781 for Thirty five thousand seven hundred and eighty pounds of which upon ample proof that goods to that Amount had not ben expended a sum of fifteen thousand seventeen pounds both New York Currency was by the Court of Common Pleas in April 1782 decreed to be refunded which sentence having been confirmed in the Provincial Court of Appeals the cause was by a further appeal carried home, and there seems to rest

I am persuaded no one means more honestly than Sir John Johnson he originally declined the Office as very disagreeable to him and was induced to accept of it from necessity after he was driven from all his estates—He sensibly feels and suffers from any failure of those under his command and I think the present inclosures, a schedule of which is subjoined are sufficient to show the great difficulty of reducing the Indian Department to method and a proper controul

I am &c.

DORCHESTER

The Right Honble

W W Grenville

(Q 46-2 pp. 387-90.)

Like Colonel Butler Joseph Brant desired to encourage the emigration of the remainder of the Six Nations from the United States into the British territory The advance of a considerable military force in the direction of Detroit from the Ohio river had so seriously alarmed the western confederacy of Indians that they sent messages soliciting the assistance of the Six Nations, which gave them great embarrassment in their exposed situation

From Joseph Brant to Sir John Johnson

Nassau 8th November 1790

Sir

The death of my friend Captain David I dare say you have ere this heard of he has left a Wife and young family for the support of which I hope Government will consider the Services of the Father and be pleased to make the Widow some small allowance for her Children's maintenance be assured many less deserving has been provided for by Government—I therefore as a friend and Brother to the deceased request your Interest in behalf of procuring something if Ever so little it will always be found beneficial in a large family and will be ever gratefully acknowledged

I cannot think of finishing my Letter without touching a little on Politics as I have ever spoken freely on matters in which the public was any ways interested and have ever disapproved of its being recommended to the Six Nations to remain on the Lands they are now on and not to Cross to this side of the River in order to settle the Evil of which may at present not appear but be assured that time will point out the Error their being settled on Government lands was surely strengthening the British interest in this part of the Country—The Americans in order to Engage them have had tracts Surveyed on purpose for them to settle amongst them which is in my opinion lessening the Safeguard that Niagara has always had if they had been settled on the Lands allotted us by Government this Settlement might have ever rested in Security having their frontier well Guarded these things perhaps may never strike you in the same light with me but whether or not I have only taken the Liberty to give you this little of my opinion on the subject

From my disagreeable Situation at present when I know the Enemy are in the Country of our Allies would wish to have your opinion and advice by the Earliest opportunity as I expect we will receive a Message from that Country and your advice I could wish for before I take any active part

I am &c

Sir John Johnson
Bart

Jos Brant
D

Endorsed—13

In Lord Dorchester's to
Lord Grenville No 79
of the 23d Jany 1791

(Q 90-1 pp 58-60.)

The Land Board continued its meetings for granting certificates for the occupation of lands assigned to settlers in the three townships which had been completely surveyed but had not yet received official names.

PROCEEDINGS OF LAND BOARD

"Land Board, 22nd November, 1790.

"Township No. 1—

"The Board having met, ordered a report of their proceedings to be transmitted to the office of the Governor's Secretary with a schedule of locations in Township No. 1 for his Lordship's information, after which they proceeded to grant certificates to such persons as attended for that purpose. Referred to his Lordship two Petitions, viz., one from John McNabb, Esquire, stating his services during the late war, and praying an equal quantity of land as has been granted to disbanded subalterns. One from Augustus Jones, stating that he has acted as Deputy Surveyor in the District since 28th November, 1789, for which he has not received any compensation, also soliciting the appointment of Deputy Surveyor. The Board taking the said petitions into consideration concurred in recommending the prayer of the petitioners to his Lordship as being in their opinion proper."

The request of the chiefs of the Mohawks for the survey of the boundaries of their reserve at length received attention.

PROCEEDINGS OF LAND BOARD

"Land Board, 20th December, 1790.

"Present: Lieutenant Colonel Butler, Robert Hamilton, Esquire, Peter Ten Broeck, Esquire.

"The Board having met, were of opinion that it is necessary for the Acting Surveyor to ascertain and report the boundaries of the Indian Lands extending Six Miles on each side of the Grand River, and as this cannot be so easily effected as at this season, the Board submit the expediency of this service to Lieutenant Colonel Gordon for his approbation, and in case this service is directed, provision for the Surveyor and four Chain Bearers will be requisite from the King's Stores, as is directed and has always been done.

"N.B. It had been customary for the Surveyor to receive a ration of provision.

Proceedings of Land Board

"Land Board held at the Landing for Township No. 2 on the 3rd January 1791

Present Lieutenant Colonel Butler Peter Ten Broeck Esquire, Robert Hamilton Esquire.

Read a letter from Lieutenant Colonel Gordon signifying his approbation of the service for surveying the Grand River The Board in consequence ordered the Acting Surveyor to proceed on that business and ordered a speech to be prepared explaining to the Indians the intention of the said survey

The Board then proceeded to grant certificates to such persons as attended

Adjourned to the 16th instant

Proceedings of Land Board

Landing 16th January 1791

Present Lt Col Butler R Hamilton, Esquire P Ten Broeck, Esquire.

The Board continued to grant certificates to such persons as attended

Adjourned to meet in the Third Township

"Land Board Township No 3 15th January 1791

Present Lieutenant Colonel Butler Peter Ten Broeck Esquire, Robert Hamilton Esquire

'Finding few disputes in this Township the Board proceeded in granting certificates

"N B No Glebe reserved in this Township"

As the statements of prisoners taken by the Indians intimated that the force then advancing against them was intended if successful to attack Detroit in the spring Major John Smith who commanded there and his superior Lieut Colonel Gordon who had relieved Lieut Colonel Harris at Niagara, requested definite instructions how to act in such event Lord Dorchester was thus obliged to repeat his former orders in a slightly different form

FROM LORD DORCHESTER TO COLONEL GORDON AND MAJOR SMITH

Quebec 20th January 1791

Sir

The hostilities between the United States, and the western Indians are much to be lamented—Could I be instrumental in putting an end to these calamities it would give me great satisfaction

We are at peace with the United States and wish to remain so
There is no power in this Country to begin a War

But should the assertions ascribed to some of the prisoners, lately taken by the Indians that the States mean to attack the Post of Detroit in the Spring, prove true I can only repeat that such a step must be considered as a commencement of hostilities on their part—And War must be repelled by War The King's benevolence and friendship towards the Indians is undoubted it continues to be manifested by His bounty every year

All these principles have been fully made known to the Commandants of the Upper Posts, and to the Officers of the Indian Department soon after my arrival in this Country they have since been inculcated repeatedly, good sense must direct the application of them to the occurrences of the day, but they cannot be departed from unless a different system should be enjoined from home in consequence of the late events in the Indian Country in which case the necessary orders will of course be issued

I am inclined to give the United States credit for too much good sense to begin a War with Great Britain, but notwithstanding this I cannot but repeat that common prudence requires a constant vigilance and readiness on our part to meet such an event however improbable

I am &c

Lieut Col. Gordon
&
Major Smith

DORCHESTER.
D

Endorsed—15
In Lord Dorchester's to
Mr Grenville No. 79
of the 23d Jany 1791

(Q 50-1 pp. 66-7)

The difficulty that would have attended an attempt to conform with the winding course of the Grand River in setting the boundaries of the Indian reserve was fortunately obviated by an agreement between the Land board and the principal chiefs of the Mohawks

Proceedings of Land Board

"Land Board Niagara, 1st February 1791

"Present Lieutenant Colonel Butler, Peter Ten Broeck, Esquire Robert Hamilton Esquire

(See Letter received No 7)

"When a plan of the Grand River was laid before them and having called in Captain Joseph Brant, Tekarehokea Shasiowanea, Ateweanookten Oghnadongoghton Oghguarioseta, Ojageghte Gonghsaneyonte, Kayendaderhon Chicheless and several of the Principal Chiefs to aid the Land Board with their advice and Council it was unanimously agreed upon and determined That the bend of the river easterly nearly two miles from its mouth or issue into Lake Erie and the Mohawk Village shall be the two fixed points and that a line drawn straight from one of these points to the other shall form the center line of the Indian Settlements or Lands on the Grand River and that two parallel lines to this six miles distant on each side of the river shall form the bounds between them and the Settlement of Nassau

Jos Brant
Ojageghte
Gonghsaneyonte.
Atewanookte
Oghsita.
Kayendaderhon.
Signed on the Plan
J Butler
Peter Ten Broeck
R Hamilton

From John Collins to Augustus Jones

Surveyor General's Office
Quebec 22nd February 1791

Sir

I congratulate you on your appointment in our Department and herewith send you instructions for the business to be done in your District the ensuing season and to enable you to carry the same into execution I enclose you Mr Todd's Bill on Messrs Hamilton & Cartwright for fifty pounds currency I long since wrote to Mr Frey for a plan of your district on a scale of forty chains to an inch with the proprietor's name wrote on their several lots and I am now to request the same of you to be sent down as soon as possible I wish you health and am &c

John Collins, *D.S.G.*

Augustus Jones Esquire

Surveyor General's Office

Quebec 22d February 1791

Sir

You are hereby directed to engage ten chain bearers and axe men on the most reasonable terms they can be had not exceeding one shilling and sixpence currency per day each man with an allowance of one shilling and threepence per day to yourself and party for provisions or a ration of provisions from the King's store in lieu thereof at your and their option

And immediately proceed with all diligence to survey and mark a town plot for a county town of the district to be called Lenox on the west side of Niagara River at such place and according to such plan and dimensions as the Land Board of the said District may direct in conformity to the general Rules and Regulations.

And likewise to survey and mark the front lines of a row of townships from the Eastern Boundary of the District of Toronto, and to carry the side lines of each township back one mile well marked which townships are to be designated on the charts, the first adjoining the said Eastern Boundary by the name of Murray and the rest as they follow in proceeding Westerly in the order here mentioned Vizt Cramahe, Haldimand Hamilton Hope, Clarke Bristol, Norwich Edinburgh Glasgow and Dublin

You are to commence and proceed in the execution of this work with all diligence, accuracy and fidelity in conformity to the general Rules and Regulations in all instances not otherwise specially directed

You are to keep journals and field books inserting therein whatever is observable for its singularity and value towards public utility as waterfalls minerals quarries the quality of the land timber &c &c. and likewise accounting for the time spent upon such service with such minuteness and certainty as will shew the work of each day and enable you to answer questions upon oath in respect thereto if the same shall be required reporting all such journals and field books under your signature to this office after the completion of the work together with the instructions thereof both to me and the Land Board of the District in which you have been employed

You are to pay a very strict attention to economy in the whole service and dismiss the hands as soon as they can be spared And as the accounts will all be subject to audit you'll take care to furnish the necessary documents in justification of every article of charge—observing nevertheless that it is not intended by any small savings to disappoint the useful ends for which these surveys are ordered but that a responsible discretion is exercised in the expenditure both of the time and the means.

You are to do no work in the nature of the subdivision of townships into lots except to such number and extents as the Land Board of the District shall from time to time in writing direct

You are to communicate these instructions to the Land Board of Nassau and a copy thereof is to accompany the accounts hereafter to be rendered to obtain payment for the services you shall have performed

Wishing you Health I am &c

SAML HOLLAND SUR GENL
JOHN COLLINS, D S G
MR AUGUSTUS JONES D P S

(District of Nassau Letter Book No. 5 pp. 35-8.)

PROCEEDINGS OF LAND BOARD

"Land Board held at Niagara 22nd February 1791

"Present Lt Col Gordon Comm'g Upper Posts, Lt Col Butler R. Hamilton Esquire

"Received a petition from Peter Clow praying the Board to authorize an agreement made with John Lutes for the purchase of his farm Lot No 34 in the 2nd Township also a petition from Joseph Robinson praying for leave to purchase from Thomas Martin Lot No   in the 2nd Township The Board being convinced of the propriety of these transfers, authorized them accordingly

"As no lands have hitherto been granted to the heirs or executors of those persons who died in his Majesty's service during the late war it remained a question whether it is the intention of government to extend his Majesty's bounty to persons of the above description The justice of these claims are so apparent that the Board concurred in granting these lands and to request his Lordship's approbation of this measure

"The Board authorized Lt. Col Butler to purchase from Robert Smith his farm on the 15 Mile Creek with all the lands himself and family may be entitled to.

"Adjourned"

Captain John Powell, who is mentioned in the following letter had been an officer in the Indian department and had been assigned two thousand acres distributed in farm lots in various parts of the township of Bertie then known as the township of Fort Erie Two of these lots fronted on the Niagara river nearly opposite the south end of Grand Island where he had built a house.

From Joseph Brant to Sir John Johnson

Extract of a letter from Captain Brant dated Grand River 4th March 1791

I am informed that Capt Powel has been tampering with a set of Senecas in order to bring some of the Americans on the opposite side of the River from his House to build Mills on Skeendioghqnade s Creek which will not be effected without opposition as I think half pay officers as well as those in the Service ought rather to prevent, than introduce the Yankees under the nose of a British Settlement

D

Sir John Johnson Bart

Endorsed—14

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

Samuel Street who had returned from a prolonged visit in the United States, gave his version of his connection with Phelps in the purchase of Indian lands

From Samuel Street to Sir John Johnson

Extract of a Letter from Mr Samuel Street dated Grand River 4th March 1791

As Agent for the following persons in this Settlement vizt. John Powell William Johnston, Timothy Murphy W Butler Sheehan and Street & Butler and some relations of mine in the States I purchased fifteen shares or fifteen one hundred & twentieth parts of the Genesee purchase from Mr Phelps at the time he treated with the Indians at Buffaloe Creek for the Lands in July 1788, Sheehan & Murphy were included without their knowledge in order to assist them in extricating themselves from some heavy Debts with which they were Burthened as were several others who were rejected Colo Butler had two like shares allowed him, said to be in consequence of some Lands promised him by *Theoquanda* which lay within the purchase one of which he gave to the Compa and the other to his Brothers Children in New England My intentions were and still are to sell off as soon as possible which I supposed might be done to much better Account than has yet appeared for which purpose I authorized a Mr Barton to manage the Business, who not succeeding to my Expectation has obliged me to take more of the Management on my own hands than I intended

"The unsettled state of my Affairs here prevented me from going into Business again till I have Collected and Discharged my Debts, therefore I proposed attending to that Business this Summer in hopes of bringing it to a period Many have been the reports which have circulated to my disadvantage no doubt, and I have found no friend Candid enough to tell me particularly what they are to give me an opportunity of clearing them up

D

Sir John Johnson,
Bart.

Endorsed—18

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1, pp. 128-9)

Acting on instructions from the Governor Sir John Johnson had made a proposal for the surrender of a portion of the Indian lands at the mouth of the Grand River for the purpose of forming a continuous settlement along the shore of Lake Erie Assent to this was given so reluctantly that the project was dropped

From Joseph Brant to Sir John Johnson

Extract of a letter from Capt. Brant dated Grand River 24th March 1791

"About the Lands at the Mouth of the Grand River you seem much to wish that we should spare you at least Six Miles up the River in order to have your new Settlement to be in one String along the Lake up the Sentiment of the Indians here on this head seems to be thought it rather hard that they should give it back after its given to them However they have agreed to give it up five Miles & a half up the River because Six Miles, it would take in a Seneca settlement who we could not think to remove them as they are fond of their Place and half a mile cannot make any odds with you.

The Deed or Grant for the Lands here which you are going to give us we hope you will make the Deed or Grant near the same sort which General Haldimand first promised to us, we hope the

Council would not restrict us too much otherways we shall look upon it not much better than a Yankee deed or grant to their Indian friends "

D.

Endorsed—23

In Lord Dorchester s to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1 pp 154-5)

PROCEEDINGS OF LAND BOARD

"Land Board Niagara 4th April, 1791

"Present Lt Col Gordon Commg Upper Posts Lt Col Butler R Hamilton Esquire

'The Acting Surveyor laid before the Board a survey of the Indian Lands on the Grand River from its mouth to about thirty Miles above the Mohawk Village, he also laid before the Board two accounts of incidental expences incurred in the survey of the Grand River and in ascertaining where a North West line from the mouth of the Little Lake at the head of Lake Ontario would intersect the Grand River the Board taking these accounts into consideration approved the same and resolved to draw a bill on Government for the amount at their next meeting Adjourned to the 3d Township

Dr James Muirhead who is mentioned below married Deborah, a daughter of Lieut Colonel John Butler He served in the war of 1812 as surgeon to the flank companies on active service, and was promoted to be Surgeon General of Militia in 1822 He was chairman of Quarter Sessions for the District of Niagara for many years and died at Niagara 24 March, 1834 aged sixty-nine He is buried in Butler s family graveyard

PROCEEDINGS OF LAND BOARD

"Land Board held in Township No 3 7th April 1791
'The Board proceeded to Grant Certificates to Such Persons as attended

"Received a Petition from James Muirhead late Surgeon s mate in the 60th Regt. stating his service as mate and inclination of becoming a settler and praying such additional quantity to the usual allowance of lands as the Board should think proper The Board taking the said petition into consideration, agreed to grant a Subaltern's allowance viz. two thousand acres. Adjourned to the 11th instant.

The council described in the following report was called to debate on the mission of Colonel Thomas Proctor who had been sent overland from Philadelphia by President Washington to invite the western Indians to attend a meeting at Fort Washington (now Cincinnati) The French gentlemen, who accompanied him, was Captain H G Houdin Horatio Jones acted as their interpreter and his account of their proceedings is printed in Volume VI of the Publications of the Buffalo Historical Society pp. 488-92

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara 14th April, 1791

In consequence of a Message with a Belt from the Chiefs of Buffaloe Creek requesting myself and the other persons of the Indian Department to attend at a Council to be held at that place, stating that some persons in authority from the United States was to be there and that they wished me to hear what he had to say The Commanding Officer thinking it proper for me to comply with their request, I left this place on the 14th Inst and proceeded to Fort Erie, the 15th I dispatched Mr Johnston, Interpreter across the River to Buffaloe Creek to know if the Chiefs were prepared for the Council but finding they were not ready I did not think it requisite to cross the River until they could Assemble I remained at Fort Erie the 16th The 17th I went to Buffaloe Creek Accompanied by Captain Borrough Commanding Fort Erie when a few of the chiefs met me and told me that they could not be ready in less than two days as their people were a great deal scattered

On the 19th we met in Council when I addressed them as follows

Brothers

Agreeable to Your request I am now come to meet You and am ready to attend to what you have to say I now return You the Belt of invitation

The Farmers Brother the principal Seneca Chief Speaker

Brothers

We return Lieut Colonel Gordon and Yourself our sincere thanks for Your readiness in complying with our request and your attendance at this place. We are also happy that Capt Brant was at Niagara when you received our Message and you took him by the hand and brought him with you.

The usual ceremony of condolence was then performed

Brothers

At the time when we sent you a Message requesting you to meet us in this Council we received word from O Bale that a great man from the Governor of New York accompanied by a French Gentleman would be here in the space of three days time upon business of importance with us and as we wished to do no Business without the knowledge of the King our Father we sent for you to be present in order to hear what they might have to say we are sorry for the disappointment as they are not more agreeable to the word we received

Colonel Butler then asked them if they had any knowledge of the business that this great man was coming upon? To which the speaker replied they had heard a little about it.

They understood that part of his business was to inform them that the Americans and the Western Nations are now at War and that he wished to consult with the Six Nations on this Affair and to take them by the hand and hoped they would accompany him to the westward in order to make a peace with those Indians and the United States

Lieut Colonel Butler informed them that it was not in his power to wait the arrival of this American the time of which appeared uncertain but hoped when he did arrive and the chiefs knew the business he was come upon that they would without loss of time dispatch two or three of their principal chiefs to inform him of it to which they immediately assented

The Cow Killer a principal Seneca chief then produced the annexed Speeches from Timothy Pickering Commissioner in behalf of the United States which they received last fall at Tioga and requested they might be publicly read

Captain Brant then addressed them as follows

Brothers,

As we the Six Nations have received many invitations from our Brethren to the Westward the Chiefs of the Grand River give their Advice and opinion that it is necessary for some of us to go to see them as Visitors and to know what they are about I recommend this matter to you and propose going myself as one

Farmers Brother speaker

Brother

As the day is far spent and we have something forther to say we propose deferring it till to morrow morning when we will meet you again in Council.

20th The Council having met the Fish Carrier spoke as follows, addressing himself to Captain Brant
Brothers

We highly approve of your advice respecting a visit to our Western Brethren I speak in behalf of three Nations vizt the Cayugas Tuscaroras and Teddioghrones

The Chiefs of the Senecas and Onandagoes then approved of Capt Brant's Proposal in the same manner

They then appointed the Grandson of the late Syengaraghta to the place of that Chief after which the Council broke up

(Q 50-1 pp 167-71)

On the approach of spring Lord Dorchester considered it necessary to warn both Colonel Gordon and Sir John Johnson to be prepared to meet and repel an attack

From Lord Dorchester to Colonel Gordon

Quebec, 14th April 1791.

Sir

Notwithstanding some late pacific appearance it is not improbable that armed parties may again make their appearance in the Indian Country and perhaps in the vicinity of some of the King's posts

Common prudence therefore requires we should be on our guard and prepared to meet all events

'Tis not enough that the posts under your command be in a thorough state of defence you must be prepared to march forward should the turn of affairs render this absolutely necessary To carry his operation into effect with proper importance a part of the Garrison of each of the Posts of Niagara and Detroit with a considerable draft from the Militia and some field pieces should be in readiness to move upon a short notice

---

Frequently called the Old King of the Senecas

You will be pleased to inform me with what force you think you may march forward from Niagara and with what force from Detroit should it be so ordered and what you may still want for this purpose

The Gunboats and King's Vessels should likewise be ready for service at a short notice.

I am &ca

DORCHESTER.
D

Colonel Gordon

Endorsed—25

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June 1791

(Q 50-1 pp 158-9)

From Lord Dorchester to Sir John Johnson

Quebec 14th April, 1791

Sir

Notwithstanding the late pacific appearance it is fit that we should not Sleep while our Neighbours are in Arms

The inclosed copy of my orders to the Commanding Officer of the Upper Posts will shew you my opinion of what ought to be done in the Upper Country

I wish you to assist Colonel Gordon with your sentiments and observations on this business

I am &ca.

DORCHESTER.
D

Sir John Johnson
Bart

Endorsed—26

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791

(Q 50-1 p. 160)

These instructions were supplemented by letter to Gordon from the Military Secretary directing him to discourage the immigration of the Six Nations and prevent the settlement of white people on the right bank of the Niagara

From Francis Le Maistre to Colonel Gordon

Quebec, 14th April 1791

Sir

Your letter of the 28th February last, covering among other papers substance of the speech delivered by the deputation of the Tuscarora Indians with your reply thereto has been placed before Lord Dorchester and it is in obedience to His Lordship's commands I informed you that whatever influence may have been used to tempt those people to dispose of their lands, or encouragements held out to them to remove from their own Country to Grand River was done without the knowledge or approbation of Government.

Such conduct excites and still keeps up a suspicion the Indians have been unfairly treated and that some who should have opposed those practices turned their influence another way and were busy in bringing that poor people to consent to their own detriment and this for interested reasons.

The whole of this transaction having been transmitted home His Lordship cannot proceed therein till he knows in what light it has been seen by the King's Ministers

His Excellency approves much of the reply you made them, and it is His wish they should upon all occasions be treated with every mark of friendship and benevolent attention

I have the honor to be &c.

Fras Le Maistre

M S
D

Colonel Gordon
Commanding the
Upper Posts at Niagara

Endorsed—13

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1 pp 121 2)

From Francis Le Maistre to Colonel Gordon

Quebec, 14th April 1791

Sir

The Copy of Mr Warren's letter transmitted in yours of the 28th February addressed to Mr Motz, relative to a projected

settlement by the states near Fort Erie, has been laid before Lord Dorchester

His Lordship commands me to say he cannot admit of any settlements whose vicinity to the King's Forts, would render their defence of less moment These as well as all such, are therefore upon every occasion to be discountenanced and prevented but with civility and good humour

I inclose by His Lordship's orders copy of His letter to the Commanding Officer at St. Johns.

The steps you have already taken in this matter meet his Lordship's approbation But however inclined the Indians may be to grant the lands in question it cannot be suffered to take effect.

I am &c

FRAS LE MAISTRE

Colonel Gordon M S

Endorsed—12

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 59-1 p 120)

The approach of Colonel Proctor's party which had been announced by Indian messengers and the request from the Indians for advice on the subject of its mission created a difficult situation which was accentuated by later events

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Extract of a Letter from Lieut Colo. Butler Deputy Agent of Indian Affairs—dated Niagara, 24th April, 1791

"About the 1st Instant I received Intelligence by two Indians from Buffaloe Creek that a Party of Chippewas from Cayahago river on Lake Erie had killed two Americans at Cassawago on the Venango river about Fifty Miles from Presque Isle and had sent Messages to the Six Nations, which alarms them a good deal as the Chippewas are still about Presque Isle and say they are very Angry with the Six Nations for their Deceit

On the 10th Instant I received a Belt of Invitation from the Chiefs at Buffaloe Creek requesting Colonel Gordon myself and the Indian Department to meet them in Council at that place in the space of three days, as they expected a visit from O'Bale who was Conducting to their Council Fire a great man from the Governor of New York, accompanied by a French Gentleman—and that they wished me to hear what these people had to say; Colonel Gordon thinking it necessary for me to comply with the request, I accordingly left this with Captain Brant, but was much disappointed as I was detained there a long time almost to no purpose I inclose you their speeches to me on this occasion. Capt. Brant left this yesterday and means to proceed to Detroit, which the Five Nations have approved of as you will see by their Speech—This Vessel sailing immediately on my return prevents me from having Dispatches compleated to go by her. I have annexed a Copy of all the American Speeches for your information—The day before I left Buffaloe Creek A Nephew of O'Bale came in and added to the above Intelligence, that it was not from one state, that the Council was to be with, but that a number of Americans were coming to the Council, at least one or two from each state, and that their Business with the Six Nations was to take them by the hand and Endeavour to get them to accompany them to the Western Indians, in order to effect a Peace with those Indians and the United States.

D

Sir John Johnson
Bart

Endorsed—29

In Lord Dorchester's to
Lord Grenville No 84
of 14th June, 1791

(Q 50-1 pp 165-6)

The Land Board was enlarged by the appointment of four new members, all of whom were magistrates John Burch was a miller at Niagara Falls John Warren, assistant commissary at Fort Erie, and Robert Kerr, surgeon to the Indian department

Proceedings of Land Board

"Land Board, Niagara, 3rd May 1791

Present R. Hamilton Esquire John Burch, Esquire John Warren Esquire Robert Kerr Esquire, John McNabb Esquire

"Mr Hamilton laid before the Board a letter from Henry Motz Esquire accompanying Lord Dorchester's order for augmentation and continuance of the Land Granting Department from the 1st May 1791 to the last June, 1793. The new members are John Burch John Warren Robert Kerr and John McNabb Esquires, of the Board any five are a Quorum

The Board having observed that the intention of Government in keeping roads along the River from the Landing to Chippeway Creek has not been attended to by the inhabitants occupying those lands and who cannot be ignorant of a Chain being left by the Surveyor for that purpose The Board Order that as soon as the present crops are got in, the people do then move their fences and open the road to the breadth of the Chain of which the Clerk is directed to give them Notice

The Board proceeded to grant certificates to such persons as attended

"Adjourned to the 1st Monday in June."

After conferring with Colonel Proctor the chiefs of the Six Nations held a council at Buffalo Creek which was attended by Colonel Butler and the commandant of Fort Erie on their invitation Butler advised them to maintain peace but counselled delay in co-operating actively with Proctor until they could receive a message from Brant who had headed a deputation to confer with the western Indians near Detroit

PROCEEDINGS OF AN INDIAN COUNCIL AT BUFFALO CREEK

Proceedings of a Council held with the Chiefs of the Six Nations at Buffaloe Creek, 4th May, 1791

Present

Lieut Colonel John Butler Deputy Agent
Captain Burrough 26th Regt
W B Sheehan
William Johnston Interpreter

The Chiefs of Buffaloe Creek having met Colo Butler addressed them as follows

Brothers,

A few days ago I received a Message from you to attend a Council begging that Coll Gordon and all those belonging to the Indian Department would accompany me, as the Business was of the greatest importance to you and wished our assistance and advice I am now ready to hear what you have to say and return you your Strings of invitation

6 Strings Wampum

The Farmers Brother Speaker

Brothers

An American and a Frenchman are arrived here who say they are sent to me by the President General Washington, with a

number of Papers which we cannot read we hope you will read them for us and Explain them fully

Brothers

Exclusive of these they have other papers, which they explained as follows "That they are going on a Message with some Written Speeches to the Western Nations and that they were ordered to take the Chiefs of the Six Nations by the hand to accompany them agreeable to Capt O Bale's promise to Congress" This is a matter of serious Consideration to us Brothers what is your opinion

Colonel Butler replied as follows

Brothers

I have heard with attention your speech, it has always been my wish to advise you what I thought for your Interest I forsee the present case is not without its Difficulties—The King your Father wishes you to live in peace and I advise you by all means to preserve it I cannot say it would be prudent for you to accompany these people immediately to the Westward those Indians you know are a good deal enraged they have also threatened you and at your last Council you approved of Captain Brant's going to visit them to see what they are about he is now gone and will use all his influence for peace I think you should hear from him before you determine on going but if you think your going will be instrumental in making peace and not involve yourselves in troubles I think you ought to embrace the opportunity of doing so

This is all that occurs to me but I by no means wish your attention to it, if it differs from your own opinion of this matter which concerns yourselves and the Americans but as you insisted upon my thoughts on the subject—I have given you them

The Farmers Brother Speaker

Brother

We return you thanks for what you have said to us—We request you to take these Papers to Niagara that the King our Father may see them and a few of our Chiefs propose meeting Colonel Gordon & yourself at Niagara in three days to speak further on this subject.

Endorsed—33

In Lord Dorchester's to
Lord Grenville No. 84
of the 14 June 1791

(Q 50-1 pp 205-6)

From Thomas Proctor to Colonel Gordon

Buffaloe Creek May 5th 1791

Sir

Altho I have not the honor of being personally known to you, I am notwithstanding emboldened to address you with a few lines and thereby to acquaint you that I am charged with certain messages from His Excellency the Secretary at War for the United States to the Six Nations and other tribes of Indians inhabiting the lands on the borders of Lake Erie &ca. One of these Messages are particularly sent to the Indians now unhappily at War with the Americans, and with which people it is the ardent desires of General Washington, the President of the United States that Peace should be established on lasting terms of Equity and Justice to them and Posterity And to accomplish the same I am commissioned to invite them to a Treaty on the Ohio not far distant from their Settlement

The better to accomplish this desirable object promises had been made to the President in January last by certain Chiefs who came to Philadelphia on business of the Six Nations, that they would appoint certain head men of their people to accompany such persons as should be sent into the Country of those unfortunate people to assist in bringing them to Terms of reconciliation with the Thirteen states.

Thus Sir you will be enabled to discover on reading the last Message of the Secretary at War thro me to the Six Nations which with other public papers, will be handed to you by the Farmers brother and other Chiefs who wait upon you to receive your Council on this weighty business And I am happy to believe that you will entertain the most favorable sentiments on the Intent and meaning of those overtures, for the restoration of peace. And the same being formed solely on the principles of Humanity and a regard for the well being of our fellow men that the same motive will invite you to give a small assistance in providing so laudable an undertaking and that of such a nature and tendency as to promote the Happiness of His Britannic Majesty's subjects of Canada, as well as to the United States in general

The favor I have to request at your hand—namely to permit me to Charter a Frigate, or one of your Vessels for such number of Indians, as may accompany me to Sandusky, on the west end of Lake Erie.

So far as my requests meet your approbation I shall receive the greatest Honor by your signifying the same by a line to

Sir

your most humble Servant

THOMAS PROCTOR

Endorsed—No 34

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50 1 pp 208-10)

FROM JOHN BUTLER TO COLONEL GORDON

Niagara, 6th May 1791

Sir

The enclosed Speech is what passed between myself and the Chiefs of the Six Nations at Buffaloe Creek which I hope will meet your approbation

I had not an opportunity of seeing the Private instructions of Cole Proctor but from the Conversation I had with him imagine he is to proceed at all events (and should none of the Indians accompany him) to the Miami River and from hence to the Ohio—he talked of hiring a Merchant Vessel to carry him to Sandusky and told me he hoped no impediment should be thrown in his way by preventing the Indians from accompanying him, he also said he expected to be supplied with Charts of the Lake from Government if he should want them

I am sorry illness has prevented me from waiting on you but as I expect the Chiefs from Buffaloe Creek hope to be able to see you to morrow

I have the honor to be &c.

JOHN BUTLER,
D

To
Colonel Gordon

Endorsed—No. 32

In Lord Dorchester's to
Lord Grenville No. 84
of the 14 June, 1791

(Q 50-1 p 204)

Meanwhile the Governor had received information which increased his apprehensions so much that he considered it necessary to repeat his warning message to Gordon, which of course did not reach him until about the end of that month.

From Lord Dorchester to Colonel Gordon

Quebec 9th May 1791

Sir

The expected approach of an Army in the Indian Country and the rumours of an intention to attack the posts or surprize them as was done at Ticonderoga in seventy six require that we should be on our guard and prepared for all events.

I send you herewith a copy of my orders to you of the 14th of last month lest the original should have been miscarried together with a copy of further directions of this date to Sir John Johnson on the same subject

Should the turn of Affairs require the King's Vessels and gun Boats on the Lakes or any of them to be fitted for War and the exigency of the service not admit of your waiting for orders from hence upon such reports as you may have to make, you will proceed to arm and man the said Vessels or Gun boats, or so many of them as you think necessary agreeable to the returns transmitted to you on the 6th of October last without delay

I am &c.

Dorchester

Colonel Gordon.

D

Endorsed—28

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June 1791

(Q 50-1 p 164)

Sir John Johnson was instructed to assure the Indians on the Grand River that General Haldimand's promise to them would be faithfully fulfilled and that the surrender of any part of their lands would not be accepted

From Henry Motz to Sir John Johnson

Quebec 9th May 1791

Sir

On the subject of Joseph Brandt's letter respecting the lands on the Grand River, I am to observe that without doubt the Indians are entitled to the full accomplishment of Governor Haldimand's promise to them without any diminution and it shall be carried into execution accordingly

A Continuation of settlements along the borders of Lake Erie concerning which it seems Indians have been spoke to may be for the general convenience of the King's subjects, but no parts of the lands promised to the Indians can be kept from them on that ground

To leave their choice more free it should have been explained to them that this proposal did not come from Government as from Government they may now be assured their acquiescence shall not be accepted while they think it hard that they should give it back after it has been given to them—They must have all that has been promised and if they should afterwards consent to surrender any part of their tract for the accomodation of the King's subjects in general they must have full and ample compensation for it to their entire satisfaction.

As to the nature of the deed it should be framed in every respect according to their own wishes so as to secure the true interests of themselves and their posterity for ever in the most effectual manner—It will be very desirable that they should consider this matter fully among themselves and bring forward the heads of the deed they wish to receive—You will be pleased to recommend this measure to Captain Brandt and to acquaint him with His Lordship's sentiments expressed in this letter in general

I have the honor to be &c.

Henry Motz

Sir John Johnson
Bart

Endorsed—24

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June 1791

(Q 50-1 pp 156-7)

At the same time he was directed to supply the western Indians with provisions to enable them to meet and deliberate fully on "the means of restoring the general tranquility" But he was again warned to be watchful and reminded of the surprise of Ticonderoga "in seventy six" which ever haunted Lord Dorchester's memory

FROM HENRY MOTZ TO SIR JOHN JOHNSON

Quebec 9th May 1791

Sir

Your letter of the 5th instant has been laid before Lord Dorchester

His Lordship thinks it very natural that the present situation of the western Indians should call for more than usual supplies of provisions and necessaries and that without such aid it will be very difficult if not impracticable to engage a sufficient number of their leading people to meet, and continue together long enough for the purpose of fully deliberating in the means of restoring the general tranquillity

You will therefore be pleased to furnish His Lordship with a state of such extraordinary supplies as you may conceive the present circumstances to require

Brant seems to think they are acting deceitfully with the Indians on this occasion, and that they intend to make a tool of him for that purpose

On the other hand many are of the opinion, that there is an intention of attacking the posts, or surprising them as they did Ticonderoga in seventy six

My Lord therefore thinks it necessary to be prepared for all events, as you were informed by His letter of the 14th of last month

Besides great watchfulness in the affairs of your department to obtain and communicate the earliest intelligence of all movements in the Indian country His Lordship wishes them to consider whether in the case of an approach of an army the safety of the King's posts may not require that detachments from the garrisons and militia should march forward from Niagara and Detroit and occupy certain stations at a distance what stations they think most eligible for this purpose and by what force and means they should be occupied

Upon all these matters they should communicate their opinions fully to the Commanding Officers of the respective posts as well as to you

The situation of Oswego differs from that of the other posts but the means of its safety should likewise be fully considered and the sentiments of the Officer of your department at Niagara, with respect to it made known to the Commandant, and to you

His Lordship wishes to have your own sentiments on all these matters as soon as can be, besides the communication of such

reports and observations as you may receive from your officers at the different posts in the upper country

I have the honor to be &c

HENRY MOTZ.

Sir John Johnson
Bart
D

Endorsed—27

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1 pp. 161 3)

As two weeks had elapsed without receiving any reply to his letter from Colonel Gordon Proctor wrote again sending his second letter by his interpreter who had been formerly employed in the British Indian department and was well known to Colonel Butler

FROM THOMAS PROCTOR TO COLONEL GORDON

Buffaloe Creek May 17th, 1791

Colonel Gordon

Sir

The 5th Instant, and immediately on the departure of Colonel Butler from this place I had the Honor to address a few lines to you which I put into the hands of Captain William Print an Indian to be forwarded, but I presume that the same has miscarried by some neglect

The purport of it was, to be permitted to have a passage in any vessel on Lake Erie for seventeen or more Indians, and for three other persons who bear me company to any part of the west end of the Lake.

The Mission that I am charged with is from the Secretary of War for the United States and directed to the Indians now unhappily at War with the Army of the United States with desires to reclaim them to a peaceable demeanour before certain desolation overtakes them, which is now pending To effect the purpose of my request from Colonel Gordon, I have sent Mr Horatio Jones to receive an answer and should the freight of the above persons be granted I shall with much pleasure satisfy the

Commander of such vessel for the same and the honor done in this instance shall be duly acknowledged by

Sir

your most humble & obedient Servant

THOMAS PROCTOR

Colonel Gordon

Endorsed—35

In Lord Dorchester's to
Lord Grenville No 84.
of the 14th June 1791

(Q 50-1 pp 211 2)

Gordon apologised for his delay in answering and stated bluntly that he had no authority to grant his request which was undoubtedly true

FROM COLONEL A GORDON TO THOMAS PROCTOR

Niagara, 18th May 1791

Sir

A few days ago I had your letter of the 5th Instant to which I should have returned an immediate answer, had I not waited for some Public Papers which you wrote were to be handed to me by the Farmer's Brother and other Chiefs who were to wait upon me, to receive my advice on business of importance.

They have however never made their appearance at this post

I think it but proper to give you this explanation, of my not having sooner replied to your letter; but as there is no Document which places you in any other light than a private Agent, I cannot enter on any discussion of a public nature.

Whenever any of the Chiefs of the Senecas, or others of the Six Nations apply to me for Council I shall give them such advice as I conceive best suits with the present situation of Affairs.

As to that part of your letter which requests to be permitted to freight one of the Vessels on Lake Erie to convey you and such Indians as may be inclined to accompany you to Sandusky on the west side of the Lake, I beg leave to inform you, that I am not authorized to comply with your request.

I am &c

A. GORDON

Colonel Proctor

Endorsed—36

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June 1791

(Q 50-I, pp 213-4)

He then reported the matter briefly to the Military Secretary

FROM COLONEL GORDON TO FRANCIS LE MAISTRE

Extract of a letter from Colonel Gordon to Francis Le Maistre, Esqr dated Niagara, May 20th, 1791

"There has for some time been at Buffaloe Creek a Colonel Proctor and three other people one of them I understand a French man; they have had a Council with such of the Six Nations as are settled there at which Colonel Butler was present they produced voluminous papers from Congress and others of the United States, Copies of which I imagine are forwarded by this opportunity to the Superintendent General I inclose Coll. Butler's speech on the occasion—The Farmer's Son[1] and other Chiefs expected here have not yet made their appearance, But I inclose for His Lordship's information copies of two letters from Coll Proctor to me together with my Answer

"I have had it privately conveyed to me that the reason why the Chiefs have not appeared here to ask my Council is that they are very much divided some are for going with Coll Procter and others not—I shall follow in the advice I give them, much the same line as prescribed by Lt Coll Butler should they apply for it "

D

Endorsed—31

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1 p 202)

Butler wrote more fully on the subject to Sir John Johnson and in a subsequent letter justified his conduct in favouring the migration of Indians to the Grand River in an aggrieved tone,

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[1] Probably the Farmer's Brother

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara 20th May 1791

Dear Sir

Since I had the honor of writing you last a good deal of Indian Business at Buffaloe Creek has been in agitation, which required the Chiefs to send for me to attend their Council the proceedings of which I have the honor to enclose herewith. About three weeks ago a Colonel Proctor arrived there accompanied by a Frenchman called Capt *Houdin* and O'Bale with some of the Senecas that adhere to him they left Philadelphia about the middle of last March and have brought a number of Papers Speeches, &ca from Washington and the Secretary at War addressed to different nations of Indians, those to the Six Nations I have got, but being so voluminous and Colonel Gordon requiring a copy I fear they cannot be ready for you by this vessel but shall be sent in the very next which will be in three days

Col Proctor's instructions are from H Knox Secretary of War by which he is to take the Six Nations by the hand to accompany him to the Westward and to take all those Nations to Governor Sinclair at Fort Washington on the Ohio, to meet in Council there but his speeches are so haughty and explanatory that in my opinion they cannot be delivered to these Indians already so much enraged without risque to himself and failing of his object—It is well known that nothing is to be got by threatening these People.

The object of his Business with the Six Nations is not yet compleated but I am since informed that the Cow Killer with some Senecas and two Onondagas have agreed to accompany him the Chiefs from Buffaloe Creek have proposed a Council at this place respecting these matters I expect them to morrow and shall take the earliest opportunity of reporting to you their proceedings until this Council takes place nothing can be said with certainty as to the part they mean to act

As my private Affairs will require my presence in Montreal I have to request your permission to go down for that purpose as I imagine after the meeting there will be little or nothing to detain me

I have the honor to be &c.

JOHN BUTLER

D

Sir John Johnson

Bart

Endorsed—37

In Lord Dorchester's to
Lord Grenville No. 84
of the 14 June 1791

(Q 50-I pp 215-7)

From John Butler to Sir John Johnson

Niagara 27th May 1791

Dear Sir

I received your letter of the 25th April respecting the removal of the Tuscaroras and of the settlement intended to be made of the Americans opposite to Fort Erie, on the receipt of your letter I enquired of the Tuscaroras, what was their reason or who had advised them to remove over

They gave me for answer they had already assigned their reason for wishing to move over and that they had been advised by the Indians settled on the Grand River

I have also enquired of the other nations if they received any applications for a settlement at Skeendioghquade's Creek they replied that no application had been made to them but they had heard of Skentioghwadighs say that Americans wished to build a Mill at his Place and were making application to the states for that purpose.

Since its coming first to my knowledge which was from Colo Gardon I have taken every step in my power to prevent it and am convinced the Indians will not allow it to take place

How any censure should be thrown on me for either astonished me as much as the circumstances could astonish you but to stop the torrent of censure aimed at me requires more than I can write—I at first thought it for the interest of Government for the Tuscaroras to remove to the Grand River but when I found it disapproved of I have used all my influence to prevent its taking place. If I have erred in opinion I should not be blamed for any subsequent change of theirs & of which I probably may have no intimation at the time I rely on you Sir to explain this matter in its true light which I have now stated and hope you will be convinced that any Censure thrown on me upon this occasion is without the least foundation as can at any time be made appear

I have the honour to be &c

Sir John Johnson
Bart

John Butler
D

Endorsed—17

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1 pp 126-7)

Lord Dorchester did not conceal his displeasure at the recent management of Indian affairs at Niagara and censured in particular the timid and faltering tone of one of Butler's speeches to the Six Nations

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FROM FRANCIS LE MAISTRE TO SIR JOHN JOHNSON

Quebec 30th May 1791

Sir

Lord Dorchester having been informed that Capt. Powell of Nassau has been tampering with some of the Seneca Indians, for the purpose of forming a Settlement of some people not the King's subjects on Skeendioghquade's Creek near the East end of Lake Erie where they are supposed to intend building Mills, I am commanded to signify His Lordship's desire that you make diligent Inquiry concerning the truth of the report, and the particulars of the transaction alluded to and inform His Lordship of the result

The Commanding officer at Niagara has been directed in case he shall find the report grounded to call upon Captain Powell for an explanation of the reasons of his conduct which wears an unseemly appearance for a Magistrate and an Officer upon half pay

I am &c

FRAS. LE MAISTRE
D

Sir John Johnson
Bart

Endorsed—15

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June 1791

(Q 50-1 p. 124)

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec 2d June 1791

Sir

I am by no means satisfied with the language held by the Deputy Agent at Niagara to the Chiefs of the Six Nations on the 4th of May last a copy of which is inclosed

He should have consulted the Commandant previous to giving any opinion or advice upon matters of such delicacy and importance to the Indians

You will be pleased to direct the Deputy Agent upon all future occasions of this nature when he has no special instructions to report to the Commandant and wait for his advice

I am &c

DORCHESTER.

D

Sir John Johnson
Bart.

Endorsed—38

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1 p 218.)

FROM LORD DOACHESTER TO COLONEL GORDON

Quebec, 2d June 1791

Sir

The application of Mr Proctor for the hire of one of the King's Vessels on Lake Erie communicated in your reports of the 20th of last month has to me an appearance of insult 'tis impossible he could expect success.

I take for granted you have taken effectual means to prevent his procuring any vessel or conveyance whatever from any of the King's Subjects, which Mr Butler mentions to have been his intention

My letters of the 14th of April and 9th of May have apprized you that there are rumours of an intention to seize the posts which implies the vessels also—and of course any means for carrying hostile designs into execution—You will therefore be upon your guard against every thing which may have a tendency to facilitate such designs

The inclosed copy of my letter to Sir John Johnson will inform you of my sentiments on the conduct of Lieutenant Colonel Butler on this occasion

This is a matter of too great delicacy and importance to give any opinion upon

Whatever advice may be given will eventually expose me to the reproach of acting deceitfully with the Indians.

I am &c.

DORCHESTER
D

Colonel Gordon
or Officer Commanding
the Upper Posts.

Endorsed—39

In Lord Dorchester's to
Lord Grenville No. 84
of the 14th June, 1791

(Q 50-1 pp 219-20)

At the next meeting of the re-organized Land Board the selection of a town site at the mouth of the river was approved and the name of Lenox was given to it.

PROCEEDINGS OF LAND BOARD

Land Board for the District of Nassau held at Niagara the 6th June 1791

"Present Colonel Gordon Commanding Upper Posts, Lieut. Col John Butler Robert Hamilton, John Burch, Robert Kerr John McNabb Lt Bruyere R Engineers

"The board having met Colonel Gordon laid before them several letters and instructions from Head Quarters for their guidance which were read also a paper signifying the appointment of Mr Jones as Deputy Surveyor for this District who was sworn by the Board for that purpose

"Instructions were given to the Surveyor to proceed in laying out the Town of Lenox

Read a petition from Peter Secord^{r} Senior stating that he had been promised by Brigadier General Powell six hundred acres of land but from the late regulations he finds himself only entitled to three Hundred that having improved a great quantity of land and erected buildings prays the Board to take his industry into consideration and grant him the remaining three lots agreeable to the promise of Brigadier Powell &c. which the Board agree to refer to his Lordship

Received a petition from the Widow Van Every for leave to dispose of lots 10 and 37 in 1st Township which was granted upon condition of the purchase money being lodged in the hands of the Board until a Division of it takes place with the rest of the family

"The Board proceeded to grant certificates and transferred the lands that Henry Jago, Christian Jacobs and James Dugan were entitled to to John McEwen, who had purchased them

"The lot of land in dispute between Elsworth and Forsyth near the Falls containing about sixty acres is ordered to be divided Acre for Acre between them

"Several disputes about lands viz. between Lawrence Jenning and Peter Thompson 3d Between David Betton and Archibald Flack. 3rd Between John Thompson and James Burke were by recommendation of the Board referred to Arbitration Adjourned to Monday 20th June 1791

See also his later petition in Papers and Records of the Ontario Historical Society Vol. XXIV, pp 119-120

EXTRACT FROM THE QUEBEC LAND BOOK

Wednesday, 8th June 1791

His Lordship informed the Council that he had continued the appointment of the different Land Boards in the province until the first day of June 1793—and communicated a Schedule of the persons named with a Copy of the Letter of Appointment addressed to each Board which were read in the following words

Schedule of the Land Boards appointed by His Excellency Lord Dorchester to act from and after the first day of May 1791

Sir John Johnson Bart, President of the Land Boards of Montreal Luneburg Mecklenburg Nassau and Hesse, when present

Nassau

The Officer commanding the Upper Posts
Lieut Col John Butler
Peter Tenbrook
Robert Hamilton
Benjamin Pawling
Nathaniel Pettit
Gilbert Tice
John Burch
John Warren
Robert Kerr
John McNabb
Esquires

The Officer of the Royal Corps of Engineers stationed at Niagara for the time being

From John Collins to Augustus Jones

Surveyor General's Office 10th June, 1791

Sir

His Excellency Lord Dorchester has been pleased to order one thousand acres of land to be laid out at Toronto for Mr Rochblave and for Captain Laforce and for Captain Bouchette seven hundred acres each which please to lay out accordingly and report the same to this office with all convenient speed

I am &c

John Collins D.S.G

Mr Augs Jones D P S

Colonel Gordon commented with considerable acerbity on what appeared to him to be duplicity on the part of the United States in their negociations with the Indians as well as their unwillingness to accept any mediation from the British government Butler was spurred to activity by instructions from Sir John Johnson

From Colonel A Gordon to Joseph Brant

Niagara 11th June, 1791

Dear Sir

I am glad to find by your letter from the foot of the Rapids to Colonel Butler that you was in good health, and I very sincerely hope the business you are engaged in will be attended with success

From the inconsistent proceedings of the Americans, I am perfectly at a loss to understand their full intentions. Whilst they are assembling Councils at different quarters, with the avowed purpose of bringing about a peace, the Six Nations have received a Speech from General St Clair dated at Pittsburgh 23rd of April inviting them to take up the Hatchet against their Brothers the Western Indians.

Can anything be more inconsistent? or can they possibly believe the Indians are to be duped by such shallow artifices?— This is far from being the case, the Indians at Buffalo Creek saw the business in its proper light and treated the invitation with the contempt it deserved.

It must strike you very forcibly that in all the proceedings of the different Commissioners from the American States they have cautiously avoided applying for our interference, as a measure they affect to think perfectly unnecessary wishing to impress the Indians with Ideas of their own consequence and of the little influence they would willingly believe, we are possessed of. This my good friends is not the way to proceed. Had they before matters were pushed to extremity requested the assistance of the British Government to bring about a peace on equitable terms, I am convinced the measures would have been fully accomplished long before this time.

I would however willingly hope they will yet see the propriety of adopting this mode of proceeding and that peace, an object so much to be desired will at length be permanently settled.
I am the more sanguine in the attainment of my wishes by your being on the spot and that you will call forth the exertion of your influence and abilities on the occasion.

Let me hear from time to time how matters are going forward and with my wishes for your health believe me,

your Friend

A Gordon

Captain Brant

D.

Endorsed—7

In Lord Dorchester's
to Lord Grenville No 95
of the 1st July 1791

(Q 51 2 pp 777-8)

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara, 13th June, 1791.

Dear Sir

I have been honored with your letter of the 22nd May last with its enclosed Extracts In answer to which I am clearly of opinion that every prudent precaution should be taken to put us in a situation to meet the worst as the present operations of the Americans altho under pretence of prosecuting another object, may be aimed at the Posts in the End, and to which their endeavouring to draw the attention of the Six Nations another way seems to give too much reason to expect and as their troops are levied and in the Indian Country the smallest pretext added to their present pretensions may cause them to make an attempt

If the Indians should be obliged to fly before this Army and should chance to take shelter under the protection of any of our Forts there is not the smallest doubt with me but they would take advantage of that Occasion for if they find we even continue the accustomed supplies to the Indians at war with them they will make a handle of it

By the advice of Colonel Gordon I have sent out Captain Joseph Clement and my son Johnson Butler on whom I can rely (under colour of business) to see if there is any thing amongst them which indicates their intentions the result of which shall be immediately communicated to you on their return

If we have further reason to think they aim at this Post and Oswego I think a Secret eye should be kept on the Three Rivers Big Sodus, and Presque Isle, the two latter places I think we may rely on the Indians for intelligence at the same time our Militia should be put in the best disposition their present situation will admit of with full confidence that the necessary arms, &ca. will be put in their hands or lodged in some convenient place but to avoid giving suspicion, I should recommend the latter as the most prudent

For the present condition of the Militia I beg leave to recommend you to the Returns from which His Lordship will be able to judge how far they may be serviceable and to effect any plan with them or the Indians, which His Lordship may think necessary no exertions of mine shall be found wanting consistent with the orders I may receive.

I am happy to find by the late conference that the Indians (a few Individuals excepted) are firmly attached to His Majesty's Interest, to keep them so, and United will require attention assisted by the means which generally Predominate over them.

I have already brought back these scattering Senecas about the Allegany River and near the Ohio, who are settled at Cadar agras—from whence they have been absent since the Peace and I hope this measure will meet His Lordship's and your approbation

I have the honor of enclosing to you herewith Copies of our late Councils with the Six Nations, and am &c

JOHN BUTLER.

Endorsed—8 D

In Lord Dorchester's
to Lord Grenville No 95
of 1st July 1791

(Q 51 2 pp 779-81)

Lord Dorchester's policy was distinctly defined in the concluding paragraph of the following letter to Mr Grenville

FROM LORD DORCHESTER TO LORD GRENVILLE

Quebec, 14th June 1791

No. 84

My Lord

A Mr Proctor charged as he says with a commission to invite the different tribes of Indians to a general meeting on the Ohio, for the restoration of peace has lately made his appearance among the six nations near Niagara, requesting them to accompany him to the westward and lend their aid in the accomplishment of this object He has likewise applied to the Commandant of Niagara for assistance to that effect and for one of the King's vessels to carry him to the West of Lake Erie which the Commandant refused

By the accounts from Detroit it appears that the Indians have been active all winter in harassing the western settlements of the states by small parties from different tribes and quarters, that military preparations and movements in the Indian Country are carried on with vigor on both sides, that the Indians expect further hostilities and that it is doubtful whether the steps taken by the Deputy Agent at Detroit towards effecting a re-estblishment of peace in consequence of my orders (C in No 82) will have any success

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[1] Now Cattaraugus N Y

In this conjuncture of affairs it seems expedient to avoid every thing that may tend to involve us in the contest or in the turn of affairs may expose us to the reproach of acting deceitfully towards either party at the same time holding ourselves prepared to meet all events as far as our strength and present condition will permit

I am &c.

DORCHESTER

Lord Grenville

(Q 50-1 pp 82-5)

The attention of the Land Board was engaged by the survey of the projected town and the proposals for transporting goods over the newly opened portage road by a company in which two of the members, Robert Hamilton and John Birch, had a large interest

PROCEEDINGS OF LAND BOARD

Land Board held at Niagara for the District of Nassau, Monday 20th June 1791

Present Colonel Gordon Commanding the Upper Posts Lt. Col Butler Robert Hamilton, Esquire Nathaniel Pettit Esquire, John Birch Esquire John McNabb Esquire Lieut Bruyere Royal Engineers.

The Deputy Surveyor laid before the Board the out lines of proposed Town of Lenox by which there appears to be an error in the plan presented by the Surveyor General, which states that the reservation for works on the high ground back of Navy Hall will leave a front for a town of three quarters of a mile and six hundred and forty feet. Instead of this it appears from the present survey and report of the engineer there will remain only a front of about eight hundred yards. In some measure to remedy this the Board direct each lot to be divided into two which will still leave as many lots as were originally intended which they order the Surveyors to perform.

The Board having received a petition from several principal inhabitants stating their ability to fulfill the intentions of Government respecting the transporting across the carrying place all the effects of Government on the west side of the River and having examined several people as to the facts stated in the petition from hence the Board are of opinion that they are fully adequate to the end proposed and that the security required is ready to be lodged for the performance of the contract fully convinced of the essential service the settlement will derive from having this portage made a central public road and do strongly recommend the plan proposed

PROCEEDINGS OF LAND BOARD

Land Board held at Niagara 24th June, 1791

"Present Colonel Gordon Commanding upper Posts, Lieutenant Colonel Butler Peter Ten Broeck Robert Hamilton Benjamin Pawling John Burch, John Warren John McNabb Esquires Lieutenant Bruyere, R Engineers

"The Board after reconsidering the plans for a County Town in this District relinquish the first proposed by the Surveyor General and adopt the second as most eligible, the first having been curtailed by the reservations for Government, to a front of only eight hundred yards They accordingly direct the Surveyor to run the out lines of the said town to the west of Navy Hall adjoining the reservation and they direct that such persons as may be inclined to build on Town lots shall pay to the present possessors two pounds ten shillings N Y Currency for each improved acre and the present occupants are permitted to retain the lot on which their houses may fall

"The Board Authorize a Public House to be built on the corner lot at the east end of the Town adjoining the River and a Mason s Lodge on the next to it Adjourned to the 2nd Monday in July

After due enquiry Colonel Gordon reported that the complaint made by Brant against Captain John Powell was not sustained

PROCEEDINGS OF LAND BOARD

"Land Board held at the 40 Mile Pond for the Upper Townships, viz No. 5 6 7 and 8 10th February 1791

"Present Lieutenant Colonel Butler P Ten Broeck, Robert Hamilton Nathaniel Pettit, Esquires.

"The plans of the several townships being laid before the Board they proceeded to grant certificates to such of the Inhabitants as attended

After considerable deliberation Lord Dorchester instructed Sir John Johnson to ascertain, "with certainty and dispatch" on what terms the western Indians who had gained a considerable success over the troops sent against them commanded by Colonel Harmar would be willing to make peace with the United States

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec, 10th February 1791

Sir

I have often expressed my concern at the hostilities between the United States and the western Indians, and that I should feel great satisfaction in being instrumental in putting an end to these calamities

I do not know how far this may be in my power but wishing to be fully prepared, in case the opportunity should offer you will be pleased to take such means, as you may think most effectual to learn with certainty and dispatch the nature and extent of the specific terms on which the confederated Indian Nations may be disposed to establish a general tranquillity and friendship with the United States together with the grounds of equity justice, and policy of those claims and pretensions on which they may think it expedient and incumbent on them to insist for their honor and interest

As the Indians themselves are the best judges of the extent of their own confidence they should be made clearly to understand that there is not the smallest desire to obtain any knowledge of their views and designs, but what they themselves of their own free choice may think proper to communicate

I am &c

Sir John Johnson
Bart

DORCHESTER.
D

Endorsed—C

In Lord Dorchester s to
Lord Grenville No. 82
of the 19th Feby 1791

(Q 50-1 pp. 76-7)

As Philip Frey had not returned to Niagara, Augustus Jones was appointed to succeed him as deputy surveyor and given explicit instructions to continue the surveys

FROM COLONEL GORDON TO FRANCIS LE MAISTRE

Niagara, 29th June 1791

Sir

In consequence of your letter under date 30th May I have made what enquiry was in my power in order to discover whether there was any ground for supposing Captain Powell had been tampering with the Indians at and in the vicinity of Buffaloe Creek to establish a settlement of some persons not subjects of the King, and after having sent for Capt Powell and talked the matter over I have no reason to suppose him in any degree reprehensible

But as I am ignorant of the Channel through which His Lordship received His information, I am not enabled to investigate the whole of the transaction so fully as I should otherwise be was that known to me.

I have the honor to be &c

A. Gordon
D

Major Le Maistre
M S
Head Quarters

Endorsed—(9)

In Lord Dorchester's to
Lord Grenville No. 96
of 27 July 1791

(Q 52 p 195)

The recently appointed deputy surveyor reported progress of surveys at considerable length

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From Augustus Jones to John Collins

Nassau 29th June, 1791

Sir

I am honoured with yours of 22nd February last informing me of my appointment to the office of Surveyor in this District accompanied with instructions for my conduct in this business and covering a draft for fifty pounds Quebec currency on Hamilton and Cartwright to enable me to carry on the same.

I would wish in the warmest terms to express my gratitude to you for your goodness in procuring me this appointment, believing however that the most effectual way to evince that will be my future attention assiduity and industry I will endeavour by these and by the strictest obedience to such orders as you may furnish me with to shew that I am not unworthy your future countenance or of the favor already conferred.

Since my appointment I have been busy in surveying the ground for the proposed town of Lenox. The Land Board now state the reasons that have induced them to change the place they had formerly proposed and to prefer the situation on the north of the intended works at Navy Hall to those on the south side.

How such an error could arise as 800 yards in the distance between the high ground at Navy Hall and the fixed line of the granted land I cannot conceive, but such it is and leaves after the reservation of Government only 800 yards for the front of the town The land behind also is by no means favourable and in my opinion the Board and Settlement has made for a more eligible choice.

A Plan of the proposed town accompanies the letter from the Land Board and will more fully explain every particular as it is thought expedient to wait the consent of Government to this alteration and as the lands are mostly covered with grain which in a month or two will be gathered in, the Land Board have directed me to proceed on the surveys from the Eastern Boundary of the District and to defer laying out the town till my return which I trust will meet your approbation

Inclosed I herewith transmit an account of my time since my being first employed by the Board here on the departure of Mr Frey which I respectfully submit to your control When not employed in actual Service I was constantly engaged by the Land Board in making plans of the different towns and in attending their meetings when granting certificates for lots in these. This is also accompanied by a state of the actual expences attending the survey of the lands reserved for the Indians on the Grand River as certified by the Board You will observe the pay allowed the men on that party is higher than is to be given by the Regulations now received when however you consider the hardship of the service undertaken in the middle of winter and in a country where the men were obliged to carry a week or ten days provisions on their backs, and that as these men were hired by the day as we could not ascertain the time necessary for the service I trust you will not find this unreasonable In future I hope to procure the hands on the terms you point out.

I have appointed Robert Lester Esqr my Attorney in Quebec to settle my pecuniary business there As the amount of these sums has been on the wish of the Board advanced by merchants here and as my own situation does not allow me to lay long out of my pay I depend upon your kind interposition to have those audited with your first leisure

I shall take the earliest opportunity in my power to extend for you a plan of this settlement on the scale you direct with the owner's name on each Lot, in the mean time I send you a plan of this settlement from scale of eighty chains to an inch which I hope will meet your approbation.

I am &c

AUGUSTUS JONES D.P S

John Collins, Esqr D S General, Quebec

(District of Nassau Letter Book No 5 pp 41-2)

STATEMENT OF ACCOUNT BY AUGUSTUS JONES

Surveyor General's department

To Augustus Jones, Dr

District of Nassau

To actual surveys running a Township line back of Township No 5 from the 22d April 1790 to the 9th May both days inclusive—18 days at 7/6	£ 6 15 0
To surveying part of a Township on the North West side of Lake Geneva from the 14th May 1790 to the 26th both days inclusive—13 days at 7/6	4 17.6
To Surveying Indian lands Grand River from the 4th Jany 1791 to 29th March both days inclusive—85 days at 7/6	31 17.6
To his salary from the 28th November 1789 to the 10th April 1791 383 days Exclusive of 116 days upon Actual surveys at 4/	76 12 0
To a Ration of Provisions from the 11th October 1789 to the 10th April 1791—463 days Exclusive of 85 days drawn from the Kings store at 1/3 pr day	28 18.9
E. E Quebec Currency	£149 0.9

Amounting to One hundred and Forty Nine pounds and Nine pence Quebec Currency—

I do Certify this to be a just and true Account 11th April 1791

Sworn before me at Niagara this 29th
day of June 1791—R. HAMILTON J P AUGUSTUS JONES D S.
(State Records)

The critical situation confronting Gordon and his apprehensions were clearly stated in a letter to Lord Dorchester requesting more explicit instructions but with little effect

FROM COLONEL A GORDON TO LORD DORCHESTER

Niagara 4th July 1791

My Lord

I had the honor to receive your Lordship's letter under date 2nd June covering the copy of one from your Lordship to Sir John Johnson on the subject of Lieutenant Colonel Butler's speech to the Chiefs of the Six Nations on the 4th of last May

In my dispatches under date 14th June I had the honor to convey to your Lordship copies of different papers from Buffaloe Creek together with my reply to the Chiefs and Warriors of the Six Nations as also a copy of a letter I addressed to Captain Brant at the foot of the Rapids on the Miamis, both of which I hope will meet your Lordship's approbation

From the delicate situation in which I feel myself placed with respect to the Indians and the necessity I am under of attending and returning answers to their almost daily Councils, I am induced to address your Lordship on the critical situation which they appear to me to stand in and to hope I may receive your instructions to guide my general line of conduct towards them.

I am fully convinced from every information I have received the Six Nations will be obliged to embrace hostile measures in favor of the Americans or in support of their Allies the Western Indians in either of which situations they will expect some decisive measures on our part Should they as there is every reason to believe decline the solicitation of the Americans to take up the hatchet many of their Villages and scattered settlements will without doubt be sacrificed to such refusal, those settled at Buffaloe Creek feel their defenceless situation in this respect very forcibly

Many families of the Delaware Nation not withstanding the active zeal with which they conducted themselves in support of Government during the last war continued on the conclusion of the peace, at their former places of residence, are now crouding towards our limits in order to avoid Joining the Americans on the present occasion.

In short the whole body of Indians who have been used to apply to Government in matters of difficulty are alarmed, and appear in such a state of uneasiness I do not hesitate to pronounce that the steps pursued in this crisis will either tend to rivit their attachment, or operate with very contrary effects

Little acquainted with the stile in which Indians are accustomed to be addressed and anxious that my conduct should meet your Lordship's approval I hope you will forgive the earnestness with which I again solicit your instructions on this subject.

I beg leave at the same time to observe to your Lordship that the presence of Sir John Johnson as a person to whom they look up with respect and confidence, would I am convinced be attended with happy effects on the present occasion I propose having the honor to write him by this opportunity stating the particulars which I now lay before your Lordship.

As the Merchant vessels both on this lake and those above, are unarmed and their capture would greatly facilitate any hostile views the Americans may have against the King's Posts I have without waiting for your Lordship's instructions, given orders they shall not be permitted to sail unless in Company with one of His Majesty's Armed vessels As this order may be attended with some occasional delay and perhaps detriment to the Mercantile interest I have to request your Lordship will honor me with your commands on this subject as soon as possible.

I have the honor to be &c.

A. GORDON

The Right Honble Lord Dorchester D.
&c. &c. &c.

Endorsed—7

In Lord Dorchester's
to Lord Grenville No. 98
of 27th July, 1791

(Q 52, pp 190-2)

PROCEEDINGS OF LAND BOARD

Land Board held at Niagara, 8th July 1791

Present Lieutenant Colonel John Butler Robert Hamilton John Burch Robert Kerr John McNabb Esquires

The Board having met, proceeded to grant certificates to such of the Inhabitants as attended Adjourned

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FROM LORD DORCHESTER TO COLONEL GORDON

Quebec 14th July 1791

Sir

From your letter of the 4th instant I perceive with concern, that the hostilities in the western country are likely to spread still further yet I see no ground at present for adding to or altering the instructions formerly given. The same principles must still govern your conduct and the same wariness and vigilance observed which has been so often recommended

In regard to private vessels on the lakes it may suffice at present to give orders that the masters of the King's armed vessels take under their convoy and protection all such as may think proper to sail in company with them and request that assistance informing the Merchants thereof and recommending it to them to avail themselves of the advantage as often as circumstances will permit

Should any further restraints become necessary they must be imposed in the manner directed by the ordinance of 1788 for promoting the inland navigation a copy of which is inclosed for your information.

You will of course report any event which may call for such interference and hold the merchants apprized of any circumstances interesting to the safety of their vessels

It may however be expedient to caution private vessels and order those in the King's service not to admit persons unknown especially in numbers to come on board nor to land or anchor at places not under our immediate protection

I am &c

DORCHESTER.
D

Colonel Gordon
Endorsed—8

In Lord Dorchester's
to Lord Grenville No 98
of 27 July 1791

(Q 52 pp 193-4)

Walter Butler Sheehan a nephew of Colonel Butler and storekeeper in the Indian department was appointed Sheriff of the district to fill the vacancy caused by the death of Gilbert Tice.

COMMISSION OF SHERIFF TO WALTER BUTLER SHEEHAN

George the Third by the Grace of God of Great Britain, France and Ireland King Defender of the Faith and so forth

To Walter Butler Sheehan, Esquire and to all whom these Presents shall come to Greeting

Know Ye that reposing trust and confidence in the Loyalty Integrity and Ability of You the said Walter Butler Sheehan, of

Our special grace certain knowledge and meer motion We have Assigned Constituted and Appointed and by these Presents Do assign constitute and appoint You the said Walter Butler Sheehan to be Sheriff for the District of Nassau within Our Province of Quebec in the Room and place of Gilbert Tice Esqr deceased; and We Do give and grant the same District to be your Bailiwick and Do commit to your care and keeping the Prisons within the same District To have and to hold exercise and enjoy the said Office and Bailiwick for and during Our Pleasure and your residence within the same District, Together with all and singular the Powers and Authorities profits benefits privileges and Emoluments which unto the said Office and Bailiwick belong and appertain In Testimony whereof &ca.

16th August 1791

(Draft of Commission in State Records)

An effort was made by the Land Board to promote the cultivation of hemp but no record has been found of the result

Proceedings of Land Board

“Land Board Nassau 6th September 1791

“Present Colonel Gordon Commanding Upper Posts, Robert Hamilton Robert Kerr Esquires Lieutenant Bruyere, Royal Engineers

“The Board having met Colonel Gordon laid before them several letters relative to the Land granting Department and stating that in consequence of an application from this Board a quantity of Hemp seed had been sent up for the Inhabitants of this District and for the purpose of making a tryal of the seed the Board authorizes two barrels to be distributed in small quantities this fall—adjourned

Later activities of the Land Board and the progress of surveys are briefly narrated in the following minutes and a letter from the diligent deputy surveyor

Proceedings of Land Board

“Land Board Lenox 9th November 1791

“Present Lieutenant Colonel Butler R Hamilton, R Kerr John Burch Esquires Lieutenant Pilkington, Royal Engineers

“The first business before the Board being to fix the boundary between the town of Lenox and works reserved for Government, they therefore directed the Deputy Surveyor, who was assisted by the Engineer, finally to fix the said line, which was accordingly executed and the base line marked with stakes. The Board in consequence directed the Surveyor to employ sufficient hands to lay out the said town into lots agreeable to the plan produced by him and approved by the Board in which business he will proceed without Delay."

From Augustus Jones to John Collins

Niagara, 16th November 1791

Sir

I am honoured with your three letters of different dates with the enclosures & have been busy in making out the plans of the townships of this Settlement and completing a register of reduced Provincial troops being under the designation you direct.

The death of my father and brother (which happened last Month) prevented me from making my returns to you as soon as I could have wished

The plan which I mentioned to have sent I left with the Clerk of the Land Board when I was ordered by them out on actual survey he was to have sent it by the first Opportunity that might offer he falling sick it was neglected and I concluded it was gone down till I received yours as the draft has been somewhat defaced [I] hope you will excuse the present appearance as I had not time to make a new one. This I send with the plans of the different townships & with proprietor's name inserted in his own lot which I hope will meet your approbation

Inclosed is a charge of expences incurred in surveying the last six months with the vouchers both from the Land Board and the men who has been employed which I trust you will find right.

I have compleated the survey from the Eastern Boundary of this District extending westerly two miles beyond Toronto including the fronts of eleven townships agreeable to your regulations in that respect a plan thereof together with the field notes I will extend for you the earliest opportunity that may offer after this

The Land Board ordered me to proceed in laying out the town lots in Lenox for the accomodation of several persons who wish to build when this is completed I shall have the honour of laying it before you

New as yet in the office you have had the kindness to place me in I trust to your goodness to overlook any inaccuracies or omissions I may have been guilty of and I shall most thankfully receive any corrections or instructions you may be pleased to favour me with With sincere Respect I am &c

AUGUSTUS JONES D P S

John Collins D S G

(District of Nassau Letter Book No. 5 pp 52 3)

PROCEEDINGS OF LAND BOARD

Land Board held at Fort Erie 21st November, 1791

Present Lieutenant Colonel Butler Robt Hamilton Benjamin Pawling John Burch, John Warren, Esquires.

The Board having met in this part of the District for convenience of the settlers, granted certificates of location to such as attended Advertisements were issued informing the public that the hemp seed would be distributed gratis in proportion to the land they would have prepared in the spring

The Board after regulating the number of people for the different parts of the public road leading from Chippeway Creek to Fort Erie adjourned

Towards the end of November the surprising news of the complete defeat of General St Clair s force was received and embodied in the following anonymous letter probably written by Robert Hamilton, as a comparison with a part of Hamilton s letter to Simcoe dated at Niagara on 4 January 1792 and printed in Volume I pp 98-9 goes far to prove By the fur-traders and officers in the public service in Canada there can be little doubt that this was considered an event of great importance as being likely to place the frontier posts in a position of safety from attack for a long time and promoting the return of peace in the Indian country As soon as Simcoe heard of it he wrote to Mr Dundas that it "may be productive of beneficial consequences to the Government of Upper Canada by terminating the War upon equitable terms between the American Indians and the United States.

A LETTER FROM NIAGARA

Niagara, 24th Novr 1791

Dr Sir

I wrote you a few weeks ago perhaps this may reach you nearly as soon as the other the reason of my troubling you is to convey the very interesting News we have just rec'd from Detroit

—The American Army of which no doubt you have this summer heard, had advanc'd on the third of this month to within Forty Miles of the Miamis Towns, they were there encountered by near Two thousand Indians who on that day took from them the greatest part of their Horses & Cattle—On the 4th, at Sun rise they attack'd their Camp but were twice repuls'd, irritated beyond measure, they retir'd to a little distance, where seperating into their different tribes and each conducted by their own Leaders they returned like Furies to the assault & almost instantly got possession of near half the Camp—they found in it a row of Flour Bags & bags of Stores which serv'd them as a Breast work, from behind which they kept up a constant & heavy fire the Americans charg'd them several times with Fixed Bayonets but were as often repuls'd—at length General Butler, second in Command being kill'd, the Americans fell into confusion & were driven from their Cannon, round which a Hundred of their bravest Men fell the Rout now became universal & in the utmost disorder, the Indians follow'd for six Miles & many fell Victims to their Fury in the Camp they found 5 pieces Brass Cannon 3 of 6 & 2 of 4 pounds 1 4½ Mortar & 2 paturares, all Brass & mounted for field Service with these they took all the Arms Ammunition Provisions Cloathing entrenching Tools, and Stores of every kind the Americans had in their Camp for the purpose of erecting Forts & remaining the ensuing Winter in the Indian Country besides the Commanding Officer the Adjt Genl & Surgeon Genl Twelve hundred are said to have Fallen in the Assaults & pursuits—you however know the Indians most probably this Number is exaggerated we do not hear of one prisoner—about 50 of the Indians are said to be killed & wounded the Numbers at first were American Regulars 1500 Militia 800, in all 2300—of Indians nearly 2000 Two Forts they had erected on their Route nam'd Hamilton & Jefferson are said to be surrounded by the Indians they contain 100 Men each with but little provisions the truth of this information may be depended on, Simon Garty if not in the action was within view of it He had join'd Coll McGee at the foot of the Rapids) brought the American Orderly Books & all their papers—Butler's Scalp was brought in & is sent they say to Joseph Brant with a severe Sarcasm for his not being there—He is at the grand River with the Six Nations—Cowan in the Felicity was dispatch'd with the interesting intelligence I saw him yesterday at Fort Erie—He left your Brother well on the 14th who had sometime before hurt his arm and was not yet able to write an Express is now getting ready for Quebec finding an opportunity I send this by New York Humanity shudders at the number of poor wretches who have fallen in this Business but as they were clearly the agressors they merit less pity the horrible Cruelties that may probably now fall on the defenceless Frontiers of the Western

American Settlements, is infinitely more dreadful & claims from every person who can feel as a man, every preventative that can be devis'd. I have this morning wrote to our Friend Mr. Askin strongly pressing him to join the Trade in inspiring the Indians with moderation. The Americans must be severely hurt at this Blow, however willing to resent it, they will find great difficulty in raising another Army for this Service. They would probably listen to any Reasonable Terms of accommodation, if they saw a prospect of its being establish'd on solid Grounds, perhaps this can only be affected by the influence of the British Government & Trade with the Indians—The Terms the Indians ask'd were, that the Ohio shou'd be establish'd as the Boundary to the American Settlements, & that they shou'd enjoy unmolested their hunting Grounds, to the West & North of that River, some of the Branches of the Ohio to the Southward of this come within a few Miles of the Genesea River, which runs into Lake Ontario Sixty Miles East from the Fort of Niagara—If these two Rivers by the interposition of Government cou'd be fix'd as the Boundaries between the Americans and Indians, & between them & us, we shou'd secure our Posts, the Trade, & the Tranquility of the Country, you will know that the present lines must furnish a source of constant Contention & dispute—The others now propos'd being on Streams not navigable, will be free from this, the Indians not having as yet sold their Country between this & the Genesea nor does any of the American Settlements extend to the West of that River, but they very soon will—I wish our Peacemakers of 83 had but known a little more of this Country. I wish our present Ministry were informed of the actual situation—perhaps this is the important moment in which the unfortunate terms of that Peace may be alter'd—Perhaps this moment may never return—

Allow me to call on you and Mr. T———[1] and our other Friends sincerely to consider this, & believe me to be &c

(Q. 57 1, pp. 178-81.)

The proceedings of the Land Board in the course of the winter and the progress of surveys are narrated in the following extracts from the minutes and the letters from and to the Deputy Surveyor General.

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau, 5th December, 1791.

"Present: Lieutenant Colonel Butler, Robt. Hamilton, John Burch, Robt. Kerr, Jno. McNabb, Esquires, Lieutenant Pilkington, Royal Engineers.

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[1] Probably Isaac Todd

The Board direct the Surveyor not to extend the Town of Lenox further back than one mile from the bank of the River the line to run South thirty degrees West The choices for Town lots were drawn for from No 1 to 84 inclusive Adjourned

PROCEEDINGS OF LAND BOARD

Lenox 12th December 1791

"Present Lieutenant Colonel Butler Robt. Hamilton Benjamin Pawling Robt Kerr John Burch John McNabb Esquires

"The Board having met proceeded in granting tickets for choices of Town lots and directed that all lots that have been cleared should be paid for before they were granted at the rate of 25/ per acre for the purpose of defraying part of the expence of the Jail or other Public Buildings Adjourned

THE MEMORIAL OF COLONEL JOHN BUTLER

To His Excellency Lieut Governor Clarke Major General and Commander in Chief of the Province of Quebec, &c. &c. &c.

The Memorial of Lieut Colonel John Butler
Humbly Sheweth

That your Memorialist having early in the late troubles with America taken an active and decided part in favor of the Kings Government, had his whole Estate real and personal confiscated and sold some part of which was in Lands not Patented at the time he was oblidg'd to retire to this Province was therefore not included in the estimation of his losses given into the Commissioners for examining into the Loyalists Claims—tho in equity his real Property—your memorialist on application to Lord Sidney in the year 1785 was refer'd to the Governor of this Province—and in the year 1787 laid his case before the Governor and Council at Quebec praying for such relief in vacant Crown Lands in this Province as to them should seem right—and was since informed that lands would have been granted him had the Place have been described—

Your memorialist therefore now prays that he may be allowed to Locate Lands in the District of Nassau at the south west corner of the Late purchase from the Missesago Indians between Toronto and the Head of Lake Ontario six miles on the Lake and extending back twelve miles on the end of the purchase.

And your memorialists as in Duty bound will ever pray &c. &c. &c

JOHN BUTLER,

Montreal 5th Septr 1791

STATEMENTS OF LANDS ENCLOSED

Statement of Lands the property of Lieut Colonel Butler and which has been confiscated and sold in the State of New York but not included in the estimate given in by him to the commissioners for examining into Loyalists Claims—

In Jessops Patent	2000	acres
Fra Masons do	15000	"
Col Croghans do	5000	"
ditto do at Lake Otsego	2000	"
John Glenns do	2000	"
Glenn & Yates do	1000	"
Robt Mills do	600	"
	27600	acres

Montreal 7th Septr

EXTRACT FROM THE QUEBEC LAND BOOK

24th December 1791

On Lieut Colonel Butlers petition

Read a Report of the Land Committee dated 9th October 1791 upon the petition of Lieut Colo Butler for Lands in Nassau in the following words

To His Excellency Alured Clarke Esqr Lieutenant Governor and Commander in Chief of the Province of Quebec &c &c &c Major General Commanding His Majestys Forces in America &c Report of the Land Committee (consisting of Messrs Finlay Collins & Gray) upon the Petition of Lieutenant Colonel Butler for the Lands in Nassau

May it please your Excellency

In obedience to your Excellencys Order of reference of Lieut Colo Butlers Petition of the 5th of September last, for a Grant of Land in the District of Nassau beginning at the South west corner of a late purchase made by the Crown from the Missisaga Indians lying between Toronto and the head of Lake Ontario six miles on the Lake extending back 12 miles or to the end of the purchase to compensate him for the loss of 27000 Acres, which he held in the Province of New York before the late War but which have since been confiscated and sold and were not included in an Estimate which he delivered to the Commissioners for examining into the claims of Loyalists

"The Committee upon a former reference of a Petition from Lieut Colo Butler dated the 12th November 1787 praying for compensation for the Lands mentioned in his last Petition Reported the 28th Febry 1788 To His Excellency Lord Dorchester Stating that he valued these Lands at £5720 New York Money but the Committee considering that losses suffered by Loyalists in the late troubles in the Colonies now the United States could not be compensated by Grants of the Waste Lands of the Crown under His Majesty's Instructions at that time existing did not advise His Lordship to grant the prayer of Lieut Colo Butler's petition and as the orders with respect to the Grants of Lands in this Province remain as they were at the time of this Committee's last Report on the same Subject they are humbly of opinion that his request cannot be complied with

All which is nevertheless humbly submitted to your Excellency's great wisdom

(Signed) Hugh Finlay
in the Chair

Council Chamber
Bishop's Palace
Quebec 9th Octr 1791

(Pp 311 12)

Proceedings of Land Board

Land Board Nassau January 2nd 1792

Present Lieutenant Colonel Butler Robt Hamilton John Burch Robt Kerr John McNabb Esquires

"Capt Hon [illegible] late of the 34th having made application for 15 lots of 200 acres each situated on the north side of Lake Ontario [illegible] beginning at the east corner of the Township [illegible] and on the west corner of the Township of Hamilton The Board observe that the Instructions of 17th February 1789 [illegible] in the corner of each township lying on the Lake were to be reserved [illegible] to which they have it not in their power to grant the lots in the first concession They direct however that those in the 2nd concession chosen by him shall have his name inserted therein and he may apply by memorial for those in the first or otherwise others within the power of the Board to grant

From John Collins to Augustus Jones

Quebec, 23rd Jany 1792

Sir

I duly received your letter with the plans and accounts that accompanied it, for which please accept of my thanks, and I assure you that both your plans and accounts came in that regular manner that does you great honour and gave me great satisfaction.

I beg that with all convenient speed you send me plans of your surveys made in the course of last Summer by order of my instructions of 22nd February 1791 Colonel Simcoe the Governor of your Province is now with us I have taken the liberty to recommend you to him in the manner I think you merit and I cannot doubt but that you will be continued in your salary I have received from Government on your account £165.2.9 Currency of which I advanced you £50, and I have paid into the hands of Lester and Morrough £115.2.9 Currency which is the full amount of your account I cannot say who will be your Surveyor General in future, should it be your humble servant, you may command my ready and best services I am &c

JOHN COLLINS D S G

Mr Augustus Jones

(District of Nassau Letter Book No. 5 pp. 57-8.)

PROCEEDINGS OF LAND BOARD

Land Board Lenox, 9th February 1792

Present Lieutenant Colonel Butler Robt Hamilton John Burch Robt Kerr John McNabb Esquires.

Several applications were laid before the Board from persons in the District of Mecklenburg for lands on the north side of Lake Ontario, in this District one of which specifys a Mill Seat

The Board having reference to their Instructions find that they are restrained from granting Mill Seats and are of opinion that the creeks falling into that part are valuable for fishing &c therefore direct that they shall not become private property where by this natural advantage might be destroyed They therefore reject those petitions and direct the Clerk to transmit a copy of this resolution to the Board at Kingston for the information of the applicants but that whenever a proper arrangements of those lands is made they shall then come in for lands according to the priority of their petitions.

PROCEEDINGS OF LAND BOARD

Land Board held at Niagara 25th February 1792.

Present Colonel Gordon Commanding Upper Posts President, Robert Hamilton, John Burch John Warren Robert Kerr Esquires, Lieutenant Pilkington, Royal Engineers

"The Board took into consideration the accounts transmitted by Mr. Frey to the Surveyor General's Office, and sent up from thence for the inspection of the Board. As these accounts are totally unaccompanied with any set of vouchers, the Board remit them to Mr. Jones, to procure to every individual charge the best vouchers he can get, which the Board will take into their consideration and transmit to Head Quarters with their opinion thereon.

"They recommend to Mr. Jones to have this compleated with every dispatch in his power. Adjourned."

FROM AUGUSTUS JONES TO JOHN COLLINS

Nassau 26th Feby. 1792.

Sir,

I am duly favoured with yours of the 23rd ulto. & think myself exceedingly happy in any degree to have merited your approbation. The commendations you bestow will I trust have the effect to make me exert myself to the utmost to deserve the continuation of your good opinion. I send herewith the plans of my surveys made last summer on the north side of Lake Ontario on a scale of 80 chains to an inch.—The field notes are too bulky to accompany this by express, but will send them per first opportunity in the Spring.

Since my last letter to you I have been busily employed making a survey of the town of Lenox but the weather setting in very severe, was obliged to stop proceeding in that business until a more favourable opportunity & when finished I shall have the honour of laying it before you.

I am truly sensible and very thankful for your kind attention to my pecuniary matters and must take the liberty of soliciting the recovery of my pay from the 28th November, 1789, to the 10th April, 1791, a Memorial on this subject I herewith transmit thro, Mr. Lester my Attorney to the Commander in chief accompanied by my account and the certificate of the Land Board, stating my appointment by them and my services.

I observe by a copy of a Minute of the Committee of Quebec of the 19th December last that they look on me accountable for 542 rations of Provisions issued at this place to the surveying party between the 24th Decr. 1790, and the 24th April, 1791, when employed in the survey of the Indian Lines on the Grand River. Will you have the goodness to state to them that those provisions were issued to the people employed on actual service exclusive of the two shillings and six pence currency pr. day as this service was peculiarly hard at that inclement season of the year as stated by the certificate of the Land Board which accompanied that account

If I am so fortunate as to retain my present place under the new Government I shall owe it entirely to your obliging recommendation for which I shall be ever thankful & I shall doubly esteem my appointment should you be at the head of the Department

I have the honor to be &c

AUGUSTUS JONES

Honble John Collins

Dy Surveyor General

Quebec

(District of Nassau Letter Book No. 5 pp 59-60)

The arrival of Colonel John Graves Simcoe at the city of Quebec was known in Niagara early in January for on the fourth of that month Robert Hamilton wrote a long letter to him on public affairs Afterwards in conjunction with Colonel Butler his colleague in the court of Common Pleas Quarter Sessions and the Land Board he prepared an address of welcome which was signed by many of the inhabitants in the vicinity and duly forwarded

FROM JOHN BUTLER AND ROBERT HAMILTON TO J G SIMCOE

Niagara, Feby 27th 1792

Sir

At the request of the other Magistrates and of the most respectable settlers in this District we have the honor to present to you the enclosed address

It affords us the greater satisfaction as furnishing an opportunity of offering at the same time our own personal and unfeigned respects and of stating the promising prospects of the District in which we reside

Our last crops have been abundant to our utmost expectations and peace and plenty promise once more to reside among us

Our Courts of common Pleas and Quarter Sessions as established by His Excellency the Governor General continue till further directions to perform their usual Duties.—From the attention of the Magistrates and from the peaceful deportment of the people but few causes of considerable consequence have ever come before us. From our past decisions we do not under stand any appeal is intended and we are happy in observing that at present we know of no cause remaining before us undetermined

If in this Quarter our personal Services can be in the smallest degree instrumental to your convenience nothing will afford us more satisfaction than in receiving your commands.

With sincere respect we have the honor to be &c

JOHN BUTLER
R. HAMILTON Js C C. pleas

J G Simcoe

(Q 278, pp 131 2)

ADDRESS TO LIEUT GOVERNOR SIMCOE

To The Honble John Graves Simcoe, Lieutenant Governor of the Province of Upper Canada &c &c &c

May it please your Excellency

To permit the Magistrates and the Inhabitants of the District of Nassau to offer you their sincere congratulations on your appointment to the Government of Upper Canada and on the safe arrival of yourself and family in this Country

Established in this Quarter by the Munificence of the best of Sovereigns and supported by the bounty of the British Government—We are just emerging from the Indigence and obscurity which constantly surrounds new settlements—Our possessions are now becoming of Value and plenty once more begins to shew her Face among us

The having these possessions confirmed to us by regular deeds The having our property secured to us by good and equitable Laws, and the having these established and enforced by the Wisdom of our Government affords us the most promising hopes of future success

For these manifold blessings we trust our Gratitude will be best shewn by our unalterable Loyalty to our King and to his Government by our unremitting Industry and peaceable demeanour as his Subjects

To Fatherly care of his Excellency The Governor General and to the fostering hand of his Council The new Settlements owe in a great measure the rapid progress They have made in so short a time for these our grateful thanks are due and we wish to express that tho now seperated nothing will give us so much real satisfaction as constantly joining our zealous endeavours to Theirs, in promoting the general good of the whole Country

Our warmest wishes & sincere prayers are constantly offer'd for you and yours.

John Butler
R Hamilton
Jno Burch
Jno Warren
Jacob Ball
Robt Kerr
Jno McNabb
P Ball
Ral Clench
Jas Muirhead
Colin McNabb
R Brady
Geo Forsyth
Jo Ball
G Ball
D Servos
P Ten Broeck
Peter Bradt
Roger Bradt
Augt Jones
Ben Cawlay (Canby?)
Jacob Ten Broeck
Geo. Lawe
Adam Vrooman
Isaac Vrooman
Phil Buck
Peter McMachan

Thos Butler
Willm Dickson
W Johnson
J W Crooks
Archd. Cunningham
J Edwards
Jo. P Clement
Jos p Clement
W B Sheehan
John Powell
Jacob Servos
Ben Pawling
Jesse Pawling
Robt Nellis
Andrew Bradt
Nathl Petit
Wm Dunbar
Thos McMicking
Donald Rosse
Geo Chisholm
David Seacord
Peter Seacord
Jacob Jeridick
Robt Campbell
John Hainer
John Reid
John McEwan

Niagara, 24th Feby 1792

Endorsed—In Lt. Govr Simcoe's of
28 Augt 1792.

(Q 278 pp. 133-5)

PROCEEDINGS OF LAND BOARD

Land Board Lenox, 5th March, 1792

Present Lieutenant Colonel John Butler Robert Hamilton, John Burch John McNabb Robert Kerr Esquires Lieutenant Pilkington Royal Engineers

"Several petitions were presented and read at the Board, praying for grant of lands on the North Side of the Lake in the Township of Dublin, and neighbourhood of Toronto The Board defer granting these lands, and ordered the petitions to remain untill it is known what reservations Government may think proper to make after which those who applied first will be preferred

The Board proceeded to grant certificates of location to such of the Settlers as attended and agreed to meet on every Monday at 10 o clock for the despatch of business. Adjourned"

An enquiry having been directed into the validity of the purchase of lands by Oliver Phelps from the Indians in May 1788 Brant and Butler had been involved the following deposition was made by the Reverend Samuel Kirkland apparently at the desire of the purchaser

DEPOSITION OF THE REVEREND SAMUEL KIRKLAND

CITY OF PHILADELPHIA PENNSYLVANIA SS

This fifth day of May in the year of our Lord one thousand seven hundred and ninety two before me Clement Biddle esquire notary public of the city of Philadelphia in the commonwealth aforesaid appeared the reverend Samuel Kirkland missionary to the Oneida nation of Indians and being of full age did on his solemn oath depose and say that in the month of May in the year of our Lord one thousand seven hundred and eighty eight, he was appointed by the governor of the commonwealth of Massachusetts to superintend a purchase to be made by Oliver Phelps esquire from the five nations of Indians of the lands ceded to the said commonwealth of Massachusetts by the state of New York that in the month of June in the same year he this deponent accompanied the said Oliver Phelps, for the purpose aforesaid into that country where they were met by several principal chiefs of the said nations, at Kanandasago who invited and conducted the said Oliver Phelps and his deponent to their council fire at Buffaloe creek That the said Oliver Phelps and his deponent were there met in full council by all the principal chiefs and warriors of the five nations that after several days were spent in agreeing on the quantity and boundaries of the land to be sold and conveyed by them to the said Oliver Phelps, the same were unanimously agreed on that the said Oliver Phelps then enquired of them what price or compensation he must make them for the said lands and they answered him that they were willing to part with them at the same price, in proportion to the quantity as they had leased the whole country for to the Yorkers—to this captain Brant as Indian chief objected and said he thought they should have as much for the lands now sold to Mr Phelps and the Yorkers, as they had formerly leased the whole country for to the Yorkers To the terms proposed by captain Brant the said Mr Phelps consented and it was then and there agreed that captain Brant, colonel Butler, and this deponent, should apportion the price accordingly, and determine what sum should be given by him, the said Phelps, and what sum by the Yorkers, who at this time purchased; so as to be equal to what the Yorkers had formerly agreed to give for the whole country, including that part of it, which the Indians at this time reserved to themselves; that the said captain Brant, colonel Butler, and this deponent having been agreed in, as aforesaid, with the unanimous consent of the same Oliver Phelps and the said Indian chiefs and warriors, they proceeded to fix the said proportion, and the price agreed to be given by the said Oliver Phelps for the lands agreed to be purchased by him as aforesaid, and unanimously fixed the same at the price, or sum, of five thousand dollars, to be paid annually, and every year, forever; that these terms were agreed to by the said Oliver Phelps, and by all the said principal chiefs and warriors; that an instrument of conveyance for the said lands, so as aforesaid purchased by the said Mr. Phelps, was then drawn up and prepared, bearing date the fourth day of July, one thousand seven hundred and eighty-eight, and also two other instruments of writing, for securing the payment of the said price or consideration money, so as aforesaid agreed to be given; that the said instruments of writing were severally, fully and clearly interpreted to the said Indian chiefs and warriors, in full council, by this deponent, Mr. Dean, and captain Brant, in the presence of several gentlemen who understood the Indian language; and after being well understood by them, and unanimously agreed to, were duly signed, sealed, and delivered; that the whole business was fairly conducted, with great harmony, without any threats of any kind being used by the said Mr. Phelps, and thus to the contrary suggested; and finally, that the deponent hath at all times since, found the chiefs and warriors of the said five nations (captain Obiel only excepted) to speak in a friendly manner of the said Mr. Phelps, and favourably of his conduct; and further this deponent saith not.

SAMUEL KIRKLAND, Missionary.

Sworn this 5th of May, 1792, before me.

Quod attestor,

CLEMENT BIDDLE, notary public.

FROM AUGUSTUS JONES TO JOHN COLLINS

Nassau, 15th June, 1702.

Sir:

Inclosed is a charge of expences incurred at surveying of Lenox, &c., including the last six months, amounting in all to eighty-six pounds, thirteen shillings and a half penny currency, accompanied with the necessary vouchers which I trust you will find right, and must beg of your interest in settling the same.

A plan of the town of Lenox according to the survey I herewith transmit it does not extend so far back as our former one proposed owing to Colonel Butler and some others who live in rear of and refuse giving up their possessions in consequence of which the Land Board directed me (for the Present) to extend the survey only one mile back from the river bank a copy of which accompanies this The field notes thereof as well as the survey on the north shore of the Lake I am now making out and will send by the first opportunity

Your order of the 10th June 1791 for the land at Toronto in favour of Mr Rochblave and others I only received the other day and as the members of the Land Board think their power dissolved by our Governor s late Proclamation relative to granting of lands in Upper Canada they recommend it to me to postpone doing in respect of said order until I may receive some further instructions.

I am &c

Augustus Jones D P S

Honble John Collins Esqr D S G

Quebec

(District of Nassau Letter Book No 5 p 65)

As the Deputy Surveyor General had informed Lieut Governor Simcoe of the existence of a salt spring near the Fifteen Mile Creek in what is now the township of Louth one of his first official acts after assuming office was to order an analysis to be made of the quality of the water

FROM THOMAS TALBOT TO AUGUSTUS JONES

Kingston July 9th 1792

Sir

It being necessary for the public service that an analysis should be made of a Salt Spring reported by the Deputy Surveyor General to be near Niagara. His Excellency Lieutenant Governor Simcoe has directed Mr McDonell to proceed immediately to analyse its quality he will receive particular instructions for this purpose

At the same time his Excellency thinks it proper for various reasons that a Deputy Surveyor should accompany him I must therefore beg that you will immediately proceed with Mr McDonell to the object of this mission

You will be pleased to note down as particular as possible the nature of the soil and the country you pass through and any observations that may be serviceable to his Majesty's Government you will communicate in writing

The mode of Conveyance must depend entirely upon you and in the hiring of boats, axe-men &c you must use the utmost economy

You will repair to your customary duties as soon as this expedition shall be over and be ready to report to his Excellency as soon as he shall arrive at Niagara

I am &c

THOMAS TALBOT Secretary

To Mr Jones, Depy Surveyor
Niagara.

(District of Nassau Letter Book No. 5 p 66.)

Soon after his arrival at Niagara he took measures to ascertain and mark the correct boundary line of the lands purchased from the Mississaugas by the treaty of 22 May 1784 and this boundary was duly confirmed by a new treaty on the 7th December 1792

FROM THOMAS TALBOT TO AUGUSTUS JONES

Navy Hall Sept 4th 1792

Sir

You are hereby directed to engage ten chain bearers and axe men on the most reasonable terms they can be had not exceeding if possible, one shilling and six pence Per day Currency each man, with an allowance of one shilling and three pence per day to yourself and party for provisions

And immediately proceed with all diligence to survey and mark a boundary line, commencing at the outlet of Burlington Bay thence a north course 45 d—— to the westward until you strike the Heads or Sources of the River La Tranche now the Thames however after having proceeded on your said line as far as you may conceive the distance ought to fall on the said Sources and not having met with them you will branch off from the said boundary line with such Offsets as may compleat a semicircle with four or five radii till you meet the Heads of the said River La Tranche, now the Thames which you will ascertain by following the said sources or waters till you are well assured you have hit the said River after which you will return to Niagara, having regard in other matters, minutes and journals to the general and existing instructions which you may heretofore have had from the Surveyor General's Office.

Thomas Talbot Secretary

Mr A Jones, D S.

(District of Nassau Letter Book No. 5 p 73)

Treaty With Mississaugas

J Graves Simcoe

THIS INDENTURE made at Navy Hall in the County of Lincoln in the Province of Upper Canada on the Seventh day of December in the year of our Lord One thousand Seven Hundred and Ninety Two BETWEEN Wabakanyne, Wabanip Kautabus, Wabanship and Mattatow—on the one part AND our Sovereign Lord GEORGE the third by the Grace of God of Great Britain France and Ireland King Defender of the faith &c &c on the other part WHEREAS by a certain Indenture bearing date the Twenty second day of May in the year of our Lord One Thousand Seven Hundred and Eighty four made between Wabakanyne Nanibosure, Poquan, Nanaiyhawestraw Papamaw Tabendaw Sawainchik Peasanish Wapamanchigun, Wapeanojhqua Sachems War Chiefs and principal women of the Messissague Indian Nation on the one part and our said Sovereign Lord George the Third King of Great Britain France and Ireland of the other part It was Witnessed that the said Wabakanyne and the said principal Chiefs and women above named for and in Consideration of the Sum of Eleven Hundred and Eighty pounds Seven Shillings and four pence of lawful money of Great Britain to them the said Wabakanyne Sachems, War Chiefs, and principal women in hand well and truly paid did grant bargain sell alien release and confirm unto his said Majesty his Heirs and Successors all that tract or parcell of Land lying and being between the Lakes Ontario and Erie beginning at Lake Ontario four Miles South Westerly from the point opposite to Niagara fort known by the name of Messissague Point and running from thence along the said Lake to the Creek that flows from a small Lake into the said Lake Ontario known by the name of Washquarter from thence a North Westerly course until it strikes the River La Tranche or New River thence down the Stream of the said River to the part or place where a due South course will lead to the mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid River La Tranche following the South course to the mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the nation of Messissague Indians and from thence along the said

Purchase to Lake Ontario at the place of beginning above mentioned together with the Woods Ways paths Waters Water courses and appurtenances to the said tract or parcell of Land belonging To have and to hold unto our said Sovereign Lord the King his Heirs and Successors for Ever as in and by the said Indenture will more fully and at large appear AND WHEREAS at the time of executing the said Indenture the boundaries of the said parcell of Land were on one side described by an imaginary line running from the small Lake Washquarter in a North West Course until it strikes the River but from an actual Survey it has been discovered that a line from the said Lake Washquarter carried on a North Westerly course will not strike the said River La Tranche And Whereas it is necessary and expedient that the boundary lines of the said Parcell of Land should be more accurately laid down and described NOW this Indenture Witnesseth and the Wabakanyne Wabanip Kautabus, Wabamship and Mattatow do hereby acknowledge and declare that the true and real description of the said tract or parcel of Land is bargained sold aliened and transferred by and to the parties aforesaid is all that tract or parcel of Land lying and being between the Lake Ontario and Erie beginning at Lake Ontario four miles South Westerly from the point opposite to Niagara fort known by the name of Messissague point and running from thence along the said Lake to the Creek that falls from a small Lake known by the name of Washquarter into the said Lake Ontario and from thence North Forty five degrees West fifty Miles, thence South forty five degrees West Twenty Miles and thence South until it strikes the River La Tranche then down the Stream of the said River to that part or place where a due South Course will lead to the Mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid River La Tranche following the South Course to the mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the said Nation of Messissague Indians and from thence along the said purchase to Lake Ontario at the place of beginning as above mentioned together with all the Woods Ways paths Waters watercourses and appurtenances thereunto belonging AND therefore the said Wabakanyne Wabanip Kautabus Wabamship and Mattatow for and in consideration of the said Sum so advanced as aforesaid and for the further consideration of five shillings of lawful money of Great Britain to them the said Wabakanyne Wabanip Kautabus Wabamship and Mattatow in hand duly paid at and before the sealing and delivery of these presents and for the better ratifying and confirming of the heretofore recited Indenture have granted bargained sold and confirmed and by these presents do grant bargain sell and confirm to his Britannick Majesty his Heirs and Successors ALL that tract or parcell of

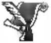
Land lying and being between the Lakes Ontario and Erie beginning at Lake Ontario four Miles South Westerly from the point opposite to Niagara fort known by the name of Messissague point and running from thence along the said Lake to the Creek that falls from a small Lake known by the name of Washquarter into the said Lake Ontario and from thence North Forty five degrees West fifty Miles thence South forty five degrees West twenty Miles and thence South until it strikes the River La Tranche then down the stream of the said River to that part or place where a due South Course will lead to the mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid La Tranche following the South Course to the Mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the nation of Messissague Indians and from thence along the said purchase to Lake Ontario at the place [of] beginning as above mentioned together with all the Woods Ways paths Waters Watercourses and appurtenances thereunto belonging To have and to hold all and singular the said Tract or parcel of Land with its appurtenances unto his Britannick Majesty his Heirs and Successors for Ever AND WHEREAS at a conference held by John Collins and William R Crawford Esqre with the principal Chiefs of the Messissague Nation Mr John Russeau Interpreter it was unanimously agreed that the King shod have a right to make roads thro' the Messissague Country that the Navigation of the said Rivers and Lakes shall be open and free for his Vessels and those of his Subjects that the King's Subjects shod carry on a free trade unmolested in and thro' the Country NOW this Indenture doth hereby ratify and confirm the said conference and agreement had between the parties aforesaid giving and granting to his said Majesty a power and right to make roads thro' the said Messissague Country together with the Navigation of the said Rivers and Lakes for his Vessels and those of his subjects trading thereon free and unmolested IN WITNESS whereof the Chiefs on the part of the Messissague Nation And His Excellency John Graves Simcoe, Esqr Lieutenant Governor of the said province &c &c &c on the part of his Britannick Majesty have hereunto set their hands and Seals the day and year first above written in the presence of

John	L.S	Butler	totem		Wabakanyne
R—	L.S	Hamilton	totem		Wabanip
Robt	L.S	Kerr	totem		Kautagus
Peter	L.S	Russell	totem		Wabaninship
John	L.S	McGill	totem	L.S	Mattotow
David William Smith				L.S	
				L.S	J Graves Simcoe

Endorsed—Dated the 7th Decr. 1792

The Messassague
Nation
to
His Britannick
Majesty

Deed of ffeofment



N B

"Dulcis, Amor Patriae"

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake, Ontario

No. 42

RECORDS OF NIAGARA in the days of Commodore Grant and Lieut.-Governor Gore

1805 - 1811

Collected and Edited
by
BRIG. GENERAL E. A. CRUIKSHANK

LIBRA
JAN 5 1932
TO

Published by the
NIAGARA HISTORICAL SOCIETY
1931

CAPTAIN WILLIAM CLAUS
(Aged 27)

Superintendent General
Indian Affairs
1805—1826

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No. 42

1805 - 1811

Collected and Edited
by
BRIG. GENERAL E. A. CRUIKSHANK

Published by the
NIAGARA HISTORICAL SOCIETY
1934

RECORDS OF NIAGARA

1805-1811

The sudden death of Lieut. Governor Hunter at Quebec on 21st August 1805 left the government of Upper Canada without a chief as he had steadily refused to nominate an administrator during his absence in the Lower Province. News of his death was received at York about ten days later. When Simcoe applied for leave of absence on the 1st of December 1795 he had recommended Hon. Peter Russell as the senior Executive Counsellor (not a Roman Catholick) for appointment as administrator and his recommendation had been approved. He called the members of the Council residing at York together at once expecting to be recognized as president but to his great surprise and disappointment found that Chief Justice Allcock announced his opinion that Alexander Grant whose name preceded that of Russell in the list of Executive Councillors named in the royal instructions was the senior although Russell had taken the oath before him. The other members of the council concurred and Russell reluctantly assented but did not conceal his discontent at being required to act in a subordinate position to that which he had formerly held. As Grant was then senior naval officer on Lake Erie and lived at Amherstburg a message was sent to him to come to York and administer the affairs of the province. When Hunter's death became known in England little time was lost in appointing Francis Gore then governor of Bermuda to succeed him as Lieutenant Governor of Upper Canada. His commission was dated on the 22nd of January but he did not assume the administration until the 25th of August following

Grant's term of office consequently lasted a little less than a year. He seems to have carefully consulted the council in all matters of the least importance and Russell generally took the chair as presiding councillor. The chief justice was soon after transferred to Lower Canada and Justice Thorpe, who had recently been transferred to Upper Canada from Prince Edward Island, began to intrigue and make complaints to the Colonial Office, stating that there was no governor, no general, no bishop and no chief justice in the province, and owing to a cabal the Council had selected a man to act as administrator who did not appear to be the eldest member and was inefficient. Both he and Justice William Dummer Powell, who was his senior, applied for the vacant office of chief justice. There was a noticeable lack of good feeling amoung the chief officials. The following petition shows that the act regulating the sale of spirituous liquor had caused some local discontent.

THE PETITION OF LANTY SHANNON AND OTHERS

To the Honorable Provincial
Parliament of Upper Canada

We the subscribers, Inhabitants of the said Province and faithful subjects to His Majesty, and at all times ready and willing to support the operative laws in his Dominions, and being possessed of that inalienable right of free men to make known to our law makers and rulers such grievances as we may think we labour under, do beg leave under mature consideration and confidence of the truth and propriety thereof, to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is not so happily calculated as in our opinion may be for the general good of His Majesty's subjects, for many are under a necessity at times for some of this liquor but either for want of abilities or from principles of prudence are prevented from receiving those comforts of the country to which their hand labour entitles them.

We beg leave further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon, as in our opinion few retailers or inn keepers would have any objection to an alteration of said law.

The limits of this Petition will not give an opportunity to state all the reasons in support thereof, which will actually be in your possession.

We therefore most humbly pray that Your Honors would take this subject into your wise consideration and repeal said law in such a manner that the distillers may sell one gallon, or otherwise order and direct so that the law touching the same may be as all laws should be for the general benefit of the public weal and as in duty bound we shall ever pray

LANTY SHANNON Inn keeper
EZEKIEL WOODRUFF
SAM'L VAN WICK Inn Keeper
JOHN FRALICK
his
JOHN X CAMP
mark
and fifty six others

The promoters of this petition were residents of the township of Stamford of which Ezekiel Woodruff was clerk continuously from 1797 until 1819 This petition and the one following are undated but were read in the Legislative Assembly on the 12th February 1805

Another petition from residents of the townships near the head of Lake Ontario voiced what seems to be well founded dissatisfaction at the administration of the act for the improvement of public roads.

THE PETITION OF INHABITANTS OF THE DISTRICT OF NIAGARA

To the Honorable the Legislative Council and House
of Assembly for the Province of Upper Canada

Humbly prays

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and roads throughout this Province and make such alterations or amendments to the same as to them in their wisdom may appear meet Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways, the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads and nothing mandatory or compulsory on them to act when required and as it would be unfair that those gentlemen who do sacrifice much of their time to their duty as Justices should be forced to leave their homes for days in acting as Commissioners without an adequate allowance being made them for their trouble and expense and as many of those gentlemen would probably not wish to act in this line of Commissioners

Your Petitioners are therefore of the opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be

overseers or Commissioners of the Highways in each and every District and that an allowance should be made them from the different District Treasurers to be raised by a tax for that immediate purpose making it compulsory on them on all occasions when thereto required to lay out alter or amend any road or roads throughout their respective District or Division However all this is submitted to the Honorable the Legislature for their consideration which Your Petitioners pray may meet with due and mature deliberation

And your Petitioners as in duty bound will ever pray

JOHN PETTIT
LEVI LEWIS
RICHARD GRIFFIN
WM KENNEDY SMITH
and fifteen others

John Pettit resided in Saltfleet Richard Griffin in Grimsby and William Kennedy Smith in Blenheim Levi Lewis was elected one of the members of the Legislative Assembly to represent the first riding of Lincoln and the county of Haldimand at the general election in 1808

The removal of the offices of the provincial government from Niagara to York had diminished the importance of the town but it still continued to be the headquarters of the officers commanding the troops and Fort George was the principal military post in the province From 1796 until the end of August 1802 the garrisons of the frontier posts were furnished by the second battalion of the Royal Canadian Volunteers. They were then taken over by the 49th Regiment commanded by Lieutenant Colonel Brock which a few years later was relieved by the 41st under Lieutenant-Colonel Henry Procter succeeded in turn by the 100th temporarily under command of Major Christopher Hamilton William Claus had succeeded Alexander McKee as deputy superintendent general of Indian affairs and continued to reside at Niagara where councils with the Six Nations and Missassaugas were some times held

Small detachments of soldiers were stationed at Queenston Chippawa and Fort Erie for the protection of stores and to conduct their transportation between the lakes.

Some letters from Hon Robert Hamilton to his father in law John Askin of Strabane near Sandwich have been preserved and contain some information of historical interest.

FROM ROBERT HAMILTON TO JOHN ASKIN

Dear Sir

This will be handed to you by your Grandson Robert my eldest boy[1] now on his Way to Mackinac to spend a year and live with my kinsman Robert Dickson

You Will perhaps be surprised at my sending my eldest son into that Country but the young Man Wishes it—And I do think the field a very fine and certainly a very large one for Mercantile Speculation—He may remain a few days at your place until a vessell shall sail for Mackinac and in directing him to make your house his head Quarters I am convinced I do not exceed in using freedom with you—

Mrs. Hamilton requests to join me in best respects to Mrs Askin & all your pleasant family

I am Dear Sir

John Askin Esqr
yours very sincerely
R. HAMILTON

Queenston May 16, 1805
(Askin Papers, Canadian Archives.)

The preface to a book rather cumbrously entitled "Travels through the Canadas, containing a Description of the Picturesque Scenery on some of the Rivers and Lakes, with an account of the Productions, Commerce and Inhabitants of those Provinces to which is subjoined a Comparative View of the Manners and Customs of several of the Indian Nations of North and South America. By George Heriot, Deputy Post Master General of British North America. Illustrated with a Map and Numerous Engravings from Drawings made at the Several Places by the Author," is dated at Quebec on 26th August, 1806. His visit to Upper Canada appears to have been made about a year before and a handsome quarto edition of his book was published in London in 1807.

His description of what he saw of the Niagara District is fairly full and interesting as he was a careful observer.

On the western bank, about a mile higher up, the British fort is situated on ground several feet higher than the last [Fort Niagara]. It is likewise constructed of earth and cedar pickets, and the buildings contained in it are executed with much neatness, taste, and accomodation. On the border of the river, and beneath the fort, there are several buildings, consisting of store-houses and barracks, one of which is called Navy Hall, and is contiguous to a wharf where vessels load and unload. A swamp in the vicinity becomes, at particular seasons, from the stagnated vapours exhaled from it, prejudicial to the health of those whose residence is by the river, and sometimes to that of the troops in the garrison. A plain, whose extent in every direction is nearly a mile, intervenes between the town of Niagara and Fort George, the name of the fortress already described. The houses are in general composed of wood, and have a neat and clean appearance; their present number may amount to near two hundred. The streets are spacious, and laid out at right angles to each other, so that the town when completed will be healthful and airy. On Mississague Point, which is on the west side of the mouth of the river, a light-house for the guidance of vessels which navigate the lake, has lately been erected. Near this point white fish and black bass are caught in great numbers.

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[1] Born at Fort Niagara in 1787, member of the Legislative Assembly for the third riding of Lincoln 1820-1824, died in 1856.

In proceeding from the town of Niagara to the southward, along the banks of the great river, many attractions combine to present pleasure and amusement to the mind of the observant traveller. The soil, the variety of situation, and the improvements of that part of the country, seem to surpass every impression which information alone might produce in its favour. The population is already considerable, and is rapidly augmenting. Families from the United States are daily coming into the province, bringing with them their stock and utensils of husbandry, in order to establish themselves on new lands, invited by the exuberance of the soil, the mildness of the government, and an almost total exemption from taxes. These people either purchase lands from the British subjects to whom they have been granted, or take them upon lease, paying the rent by a certain portion of the produce.

Many farmers from the neighbouring states, who are wealthy, procure grants of their own, and taking the oaths of allegiance, become subjects of the crown of Great Britain.

Men born and educated in the northern states of America are of the greatest utility in the settlement of a new country, as they are endowed with a spirit for adventure, activity, industry, and perseverance, rarely to be equalled. Nor are they deficient in the power of inventive faculty, particularly when applied to mechanical objects. In travelling, the waggon is by many made to serve the end, not only of a house during the journey, but likewise of a vessel, to cross the rivers which are not fordable. The seams of the body are secured against the admission of water, and when applied to the latter purpose, the wheels are taken off, it is conducted by rowing to the opposite shore, and the horses and cattle are made to follow it by swimming. The settlers who bring into the province the largest property in money and stock, generally come from the back parts of Virginia, and even from the Carolinas.

In the use of the axe the Americans display uncommon

dexterity, and hew down the largest trees of the forests with admirable address and expedition. Retaining no attachment for any particular situation, an American farmer who is not of the first class will sell his lands after having cleared and brought them to a state of cultivation, if he can procure for them a reasonable profit for his toils. He then decamps, launches into the woods in quest of a new possession, and erects another habitation.

The immense tracts of woods filled with oak timber which every where present themselves are certain indications of the fertility of the soil. The common produce of the fields is in general from thirty to forty for one in wheat or any other grain, and portions of land which have for upwards of sixteen successive years yielded their harvest without the aid of manure with forty to one to reward the industry of the husbandman.

The winters in this part of the country are inconsiderable either for duration or severity. The snow seldom remains on the ground for a longer period than five or six weeks.

About the year 1800, before the means of transport to the lower province became facilitated and improved, the inhabitants were at a loss to dispose of the produce of their farms. Since that period many thousand barrels of flour, quantities of salted beef and pork, butter and cheese, pot ash and numbers of live cattle have annually been conveyed to Lower Canada through the rapids and cascades of the Saint Lawrence upon rafts of timber containing from five hundred to eight hundred barrels each, and upon scows, a superior species of raft constructed of plank, without receiving from the waters any material injury. The conducting of that mode of transport, although at first difficult and unwieldy, has now become more familiar, and immense quantities of produce continue to flow every year into the lower province.

There are attached to settlements on the borders of the Saint Lawrence advantages of transport superior to those of any inland country in America. The soil is unquestionably of the first quality, and is sufficiently varied by swells and ridges, to take off that sameness of effect which would result from a dead level country. Winter wheat is produced with the greatest certainty. The grain is heavier and more plump than any that is raised in the territories of the United States, except such as border upon this immense river. Grass is very natural to this country, and cattle fatten in summer upon the wild growth. Hemp and flax are produced in great perfection. The timber consists of oak, pine in all its varieties, sugar and curled maple, beech, basswood, hickory, black and white ash, sassa fras, black and white birch, elm, walnut-tree, butternut-tree, cherry-tree, and a variety of other woods.

"The winter season is employed by the farmer in making staves for casks, squaring timber, or preparing plank and boards, all of which may be disposed of to advantage in Montreal. In the spring the timber is formed into rafts, which are loaded with produce, and conducted down the river with great certainty, at any period during the summer season, without the inconvenience of waiting for a freshet, or an increase of water by rains, which can have but small influence on so vast a body of water. This circumstance alone adds value to the establishments on its borders; for on all other rivers, except those of the first magnitude, they who mean to conduct rafts down their streams are compelled to be ready at the moment of a swell of the waters; and if they be so unfortunate as not to be prepared, an opportunity of carrying to market the productions of their farms becomes lost to them for the whole year. It likewise not unfrequently happens with many rivers, that the spring freshets are not sufficiently high to render it safe to venture down them. The farmer on the Saint Lawrence is assured he can send a barrel of flour for four shillings, and a barrel of potash for eight shillings, to the ship which comes from Europe.

In many branches of husbandry the settlers of this country seem to display a superior degree of skill, and fields of corn are here to be seen as luxuriant and fine as in any part of the universe.

The mode of commencing a settlement is by cutting down the smaller wood, and some of the large trees, collecting them into heaps and burning them. Some of the remaining trees are girdled, by cutting a groove all around through the bark, to impede the sap from mounting, and thus deprived of nourishment, the branches cease to grow, and the leaves decay and fall to the ground. After passing a harrow over the soil, in order to turn it up, the grain is sown, the harrow is again used, and thus with little without any further trouble, the newly cleared ground yields a copious increase.

"A stranger is here struck with sentiments of regret on viewing the numbers of fine oak trees which are daily consumed by fire in preparing the lands for cultivation.

The houses, with few exceptions, are here constructed of wood, but with a degree of neatness and taste, for which we might look in vain among the more ancient settlements of the lower province.

The improvements of every description in which for a few years past the province has been rapidly advancing, have in some situations divested it of the appearance of a new settled colony, and made it assume the garb of wealth and of long established culture. The roads in the settled part of the country are in the summer season remarkably fine, and two stage-coaches run daily between Niagara and Chippawa or Fort Welland, a distance of eighteen miles.

The scenery from Niagara to Queenstown is highly pleasing, the road leading along the summit of the banks of one of the most magnificent rivers in the universe, and on ascending the mountain, which is rather a sudden elevation from one immense plain to another, where the river becomes lost to the view, the traveller proceeds through a forest of oak trees, until he becomes surprised and his attention is arrested by the falls presented to the eye through openings now cut in the woods on the steep banks by which they are confined.

Queenstown is a neat and flourishing place, distinguished by the beauty and grandeur of its situation. Here all the merchandise and stores for the upper part of the province are landed from the vessels in which they have been conveyed from Kingston, and transported in waggons to Chippawa, a distance of ten miles, the falls and the rapid and broken course of the river rendering the navigation impracticable for that space. Between Niagara and Queenstown the river affords in every part a noble harbour for vessels, the water being deep, the stream not too powerful, the anchorage good, and the banks on either side of considerable altitude.

The mountain already noticed is formed by the land assuming a sudden acclivity of upwards of three hundred feet from one horizontal plain to another, and extends from east to west for a considerable way, the river holding its course through its center and cutting it asunder. The perpendicular banks on either side are near four hundred feet in height from the level of the water below to their summit. Their strata are similar, not only in altitudes but in substance. A little way below the bank on which the town is placed, there is a spot rising about twenty feet from the side of the river, upon whose surface a quantity of stones is placed, which appears to have been deposited there for a series of years, and which have been evidently formed by currents of water.

Since the settlement of the country, the river has not been perceived to rise to that height. These circumstances seem to afford probable ground for conjecture, that the stream which now flows through the deep chasm of the mountain did at some former period throw itself from near the summit and after sweeping away the rocks and soil form its present profound and rugged channel extending upwards of nine miles from the precipice whence the wide and stupendous flood continues now to fall

In tracing the course of the river higher up from Queenstown many singular and romantic scenes are exhibited the whirlpool which is about four miles from that place is a basin formed by the current in the midst of lofty precipices clothed with woods Previous to its entering this bay the stream drives with awful roar its broken interrupted waters over a sudden slope upwards of fifty feet in height and thus proceeds foaming past the bed it afterwards takes which being around the angle of a precipitous promotory its weight and velocity oblige it to pass on and to make the circuit of the basin before it can flow through that channel It has apparently made an effort to break through the bank to the westward but the rock was probably too solid The strata to the northward were found more penetrable and through these it has forced a passage A tide rising to the height of two and a half feet and again falling every minute is observable all round the basin this phenomenon may be produced by the impulse communicated to it from the torrent which causes it alternately to swell and to recoil from the beach

This gulph usually contains a quantity of floating timber which continues to revolve in the eddy about once in half an hour and will some times remain in this state for months, until it be drawn off by the current At one particular part all floating substances are made to rise on one end after which they are swallowed down by the vortex and for a time disappear

The falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene the most wonderful and awful which the habitable world presents Nor can any drawing convey an adequate idea of the magnitude and depth of the precipitating waters. By the interposition of two islands the river is separated into three falls that of the Great Horse shoe on the west or British side so denominated from its form and those of Fort Slausser and Montmorenci on the eastern or American side The larger island is about four hundred yards in width and the small island about ten yards. The three falls with the islands describe a crescent and the river beneath becomes considerably contracted The breadth of the whole at the pitch of the waters, including the curvatures which the violence of the current has produced in the Horse shoe and in the American falls, may be estimated at a mile and a quarter and the altitude of the Table Rock from whence the precipitation commences

is one hundred and fifty feet

Along the boundaries of the river and behind the falls, the elevated and rocky banks are every where excavated by sulphureous springs the vitriolic acid uniting with the limestone rock and forming plaster of Paris, which is here and there scattered amid the masses of stone which compose the beach beneath

These excavations extend in many places to a distance of fifty feet underneath the summit of the bank.

Casting the eye from the Table Rock into the basin beneath the effect is awfully grand magnificent and sublime No object intervening between the spectator and that profound abyss, he appears suspended in the atmosphere

The lofty banks and immense woods which environ this stupendous scene the irresistible force the rapidity of motion displayed by the rolling clouds of foam the uncommon brilliancy and variety of colours and of shades the ceaseless intumescence and swift agitation of the dashing waves below the solemn and tremendous noise with the volumes of vapour darting upwards into the air which the simultaneous report and smoke of a thousand cannon could scarcely equal irresistibly tend to impress the imagination with such a train of sublime sensations as few other combinations of natural objects are capable of producing and which terror lest the treacherous rock crumble beneath the feet by no means contribute to diminish

The height of the descent of the rapids above the great fall is fifty seven feet eleven inches The distance of the commencement of the rapids above the pitch measured by the side of the island is one hundred and forty eight feet and the total altitude from the bottom of the falls to the top of the rapids is two hundred and seven feet The projection of the extreme part of the Table Rock is fifty feet four inches

The large island extends up the river about three quarters of a mile and the rapids between that and the western banks are much diversified in one situation near the island there is a fall of about sixteen feet in height the vapour from which is distinctly visible Several small islands are formed towards the west side of the river

From a settlement called Birch's Mills on level ground below the bank the rapids are displayed to great advantage they dash from one rocky declivity to another and hasten with foaming fury to the precipice. The bank along whose summit the carriage road extends affords many rich although partial views of the falls and rapids. They are from hence partly excluded from the eye by trees of different kinds, such as the oak, the ash, the beech, fir, sassafras, cedar, walnut, and tulip-tree.

"About two miles further down the side of the river, at a situation called Bender's, an extensive and general prospect of the falls, with the rapids and islands, is at once developed to the eye of the spectator. On descending the bank which in several places is precipitous and difficult, and on emerging from the woods at its base, a wonderful display of grand and stupendous objects is at once expanded to the view. From amid immense fragments of rock and lacerated trees which have descended in the current of the waters, the eye is directed upwards toward the falls, that of Fort Slausser being on the left, and the Great Horse-shoe fall immediately in front. On the right is a lofty bank profusely covered with diversity of foliage, beyond which the naked excavated rock discloses itself. As the river here contracts to the breadth of about half a mile, the fall on the American side becomes nearest to the eye, and its waters tumble over a rock which appears to be perpendicular and nearly in a straight line across to the island, the curvature being from the point now described not perceptible. The rock is, however, excavated, and at the pitch has been worn from the continued abrasion by the fall into a serrated shape, whence the masses of foam pour down in ridges which retain their shape from the summit to the bottom. Numbers of stones which have been torn away from the precipice are accumulated through the whole extent below, and receive the weighty and refulgent clouds of broken waters, which again dash from thence into the basin.

"The salient groups in which, with gradations almost regular, the tumbling waters are precipitated, excite the awe and admiration of the spectator; the eye follows with delight the masses of lustrous foam, varied by prismatic hues, and forming a wide and resplendent curtain.

"About half a mile from hence, in descending the course of the river, and behind some trees which grow upon the lower bank, is placed the Indian ladder, composed of a tall cedar tree, whose boughs have been lopped off to within three inches of the trunk, and whose upper end is attached by a cord of bark to a living tree; the lower end is planted amid stones. It is upwards of forty feet in length, and trembles and bends under the weight of a person upon it. As this is the nearest way to the riverside, many people descend by the ladder, led either by curiosity or for the purpose of spearing fish, which in the summer are found in great abundance in this vicinity.

The spear in use is a fork with two or three prongs, with moving barbs, and fixed to a long handle. The fisherman takes possession of a prominent rock, from whence he watches for his prey, and when it approaches within his reach, he pierces it with his instrument, with an almost inevitable certainty.

The village of Chippawa or Fort Welland, is situated on each side of a river of the same name, which here joins the Saint Lawrence. A wooden bridge is thrown across this stream, over which is the road leading to Fort Erie. The former fort consists only of a large block house near the bridge, on the northern bank, surrounded by lofty pickets; it is usually the station of a subaltern officer and twenty five men, who are principally engaged in conducting to Fort Erie the transport of stores for the service of the troops in the upper part of the province, and for the engineer and Indian departments. After being conveyed by land from Queenstown, the provisions and other articles are here embarked in batteaux.

There are in the village some mercantile store-houses and two or three taverns. The waters of the Chippawa are always of a deep brown colour, and are very unwholesome if used for ordinary purposes. They enter the Saint Lawrence about two miles above the falls, and although they be frequently broken, and rush into many rapids in their course thither, they seem obstinately to resist being mixed with the purer waters of that flood, and retain their colour in passing over the precipice. The foam produced in their precipitation is of a brownish hue, and forms the edge of the sheet which tumbles over the Table Rock. Their weight and the depth of the descent mingle them effectually with the water in the basin beneath. The colour of the Chippawa is derived from that river passing over a level country, in many places swampy, and from quantities of decayed trees which tinge it with their bark. It is also impregnated with bituminous matter, which prevents it, until it has suffered the most violent agitation and separation of particles, from incorporating with the more transparent and uncorrupted stream of the Saint Lawrence.

Opposite to the village of Chippawa, the current becomes so powerful that no boat can be ventured into it without imminent danger of being swept away, and lost in the rapids. Between the village and the falls there are three mills, the lower for the manufacture of flour, the two upper mills, which are near to each other, and adjoining the road, are for the purposes of sawing timber into boards, and for manufacturing iron. The latter scheme has hitherto failed of success; the logs for the saw mill are conveyed down the current to this situation in a very singular manner. They are cut upon the borders of the Chippawa, and floated down to its mouth, where a reservoir formed by a chain of hog pens, is made to contain them. In proceeding downwards, in order to avoid being drawn into the vast vortex of the falls, small poles have been fixed together from the reservoir to the mill, floating at the distance of eighteen or twenty feet from the shores. They are retained in their places by poles projecting from the land, and thus the chain of poles, rising and falling with the waters and always floating on the surface, forms a species of canal into which the logs are separately launched, and in this manner carried from the reservoir to the mill, a distance of more than a mile.

In the vicinity of the mill there is a spring of water whose vapour is highly inflammable, and is emitted for a time with a considerable degree of force. If collected within a narrow compass, it is capable of supporting combustion for near twenty minutes, and of communicating to water placed over it in a small confined vessel, the degree of boiling temperature.

To those who are admirers of the picturesque beauties of Nature, it will be almost unnecessary to apologize for the prolixity of description with which the last communication was filled. The subject of the latter part of it, upon which we have already so long dwelt, is at once noble and *unique*. Let us therefore attempt to pursue it still further, although without the hope of being able to do it justice.

The Saint Lawrence at the confluence of the Chippawa is upwards of a league in width, and is passed to the opposite shore in boats or bateaux, about three quarters of a mile higher up than the village, and by the lower end of Navy island. The transport of goods by land to Fort Slausser, two miles above the east side of the falls, was formerly conducted from a place opposite to Queenstown. In passing through the cultivated grounds on this border of the river, immense mounds of earth, thrown up by multitudinous colonies of large black ants, are every where observable. The rapids on this branch of the river, although not so extensive, are nevertheless equally beautiful and romantic with those of the western branch. A spot at the distance of fifty yards from the pitch, affords a most advantageous and pleasing display of a scene, which in every point of view is accompanied with sublimity. Trees and rocks form the nearest objects, and between them and the islands a lively picture is exhibited of broken rapids dashing over the slippery rocks, which are hidden beneath the foaming torrents. Amid the sinuosities of the pitch, a part of the American fall is developed to the view of the spectator, and the

Montmorenci fall is imposed about half way down its depth the other parts of the eastern fall are concealed whilst a portion of the waters beneath becomes disclosed The inequalities of the precipice which have been formed by the current are here fully discoverable Several small isles covered with woods appear near the central island and add to the variety of the scene which foliage of diversified verdure overtopped here and there by the towering cedar contributes to enliven and to adorn The Horse-shoe fall beyond the which delights the mind with the rapidity of its movements and the animated effulgence of its hues From the station which we have now endeavoured to describe is afforded the most perfect idea of the crescent formed by the three falls, the islands and the Table Rock

To descend the perpendicular cliff on the eastern bank is attended with difficulty and with some degree of peril Few of the roots and vines which formerly hung downwards from the trees any longer remain In descending the craggy steep the adventurer must cling to the rock with his hands and feet moving onward with great caution On his arrival at the base of the cliff he is struck by a development of scenery yet more awfully stupendous than that which had before been presented to his contemplation Here nature agitated by the struggles of contending elements assumes a majestic and tremendous wildness of form Here terror seems to hold his habitation Here brilliancy profundity motion sound and tumultuous fury mingle throughout the scene The waters appear to pour from the sky with such impetuosity that a portion is thrown back in clouds of vapour The mind expanded by the immensity and splendour of surrounding objects is disposed to give issue to the sensations of awe and wonder by which she is impressed in ejaculations similar to that of the Psalmist of Israel Great and marvellous are thy works

The huge fragments of rock which have been thrown from the summit of the precipice by the irresistible strength of the torrent and which have fallen upon each other in towering heaps beneath, suggest to the imagination an idea of what may take place previous to the general consummation of this terrestrial scene, when ancient monuments of marble under which princes of the earth have for ages slept shall be burst asunder and torn up from their foundations

Can so vast, so rapid, and so continual a waste of water never drain its sources? These are inexhaustible and the body which throws itself down these cliffs, forms the sole discharge of four immense inland seas

The effect produced by the cold of winter on these sheets of water, thus rapidly agitated, is at once singular and splendid. Icicles of great thickness and length are formed along the banks, from the springs which flow over them. The sources, impregnated with sulphur, which drain from the hollow of the rocks, are congealed into transparent blue columns. Cones are formed by the spray, particularly on the American side, which have in several places large fissures, disclosing the interior, composed of clusters of icicles, similar to the pipes of an organ. Some parts of the falls are consolidated into fluted columns, and the river above is seen partially frozen. The boughs of the trees in the surrounding woods are hung with purest icicles formed from the spray, and reflecting in every direction the rays of the sun, produce a variety of prismatic hues, and a lustre almost too refulgent to be long sustained by the powers of vision.

This part of the Saint Lawrence, which is called the Niagara river, issues from the eastern extremity of Lake Erie, and discharges itself into Lake Ontario, at the end of thirty-six miles, after undergoing the most violent agitations through an interrupted and sinuous channel. At its commencement from the former, its breadth is not more than half a mile, but it becomes afterwards enlarged, and separated into two branches by an island fifteen miles in length. The current is powerful, and the navigation for vessels is rendered intricate by innumerable hidden rocks. In the vicinity of Navy island there are two smaller isles.

The western bank between Chippawa and Lake Erie is almost entirely settled, and the road is level and in most places good. The Americans have on their side of the river a road extending from Fort Slausser to Buffalo creek, a settlement which contains several Indian and some white families. At a spot called the Black Rock, at the lower end of the rapids, a fort has been traced and partly constructed, within the limits of the United States.

Lake Erie is near three hundred miles in length, and seven hundred and ten miles in circumference. It derives its name from the Erim or Cats, a nation or tribe which once dwelt on its borders. The landscape at the entrance exhibits a pleasing variety, consisting of water, points of land, level countries, and distant mountains. The coasts are cloathed with oak, ash, chestnut, apple, and cherry trees. The south east shore abounds in game and wild animals. The islands which it contains are Bass islands, Isle Bois blanc, Cunningham's island, East Sister, Grose isle, Middle island, Middle Sister, Point Pelee isle, Saint George's island, Ship island, Sandusky island, Turtle island, and West Sister.

"The old fort on the west side of the entrance into the lake consists of no more than a few houses, a block house of logs, with some habitations for commercial people, and one or two store-houses. A new stone fort in the form of a quadrangle is now constructing on rising ground behind the block house. A company of soldiers is usually stationed here, and the men are chiefly employed in assisting to conduct the transport of stores. Two vessels in the service of the British government are used in navigating this lake.

"The bottom of the lake consists of lime stone rock of a bluish colour, with which are mingled many petrified substances, animal as well as vegetable. The lake is much exposed at its northern extremity to gales of wind which occasion its waters to rise to a very considerable height. Vessels are at these periods in some danger of being driven ashore, their cables being often cut asunder by the sharp and flinty edges of the rocks which compose the anchorage.

"At ten miles and a half from the fort, in pursuing the northern coast, is found a promontory which advances into the water about three hundred and fifty yards, and is named Pointe a Beneaut, or Abino, affording for vessels a safe anchorage in its neighbourhood. From hence to the grand river is twenty four miles; a hill in the form of a sugar loaf intervenes, and presents a good land-mark. The townships in the vicinity are rapidly advancing in population and improvement, and several water-mills have been constructed. The Chenitre, or river Waveney, is eighteen miles more to the westward, and Pointe à la Biche, now Turkey Point, lies about fourteen miles further along the coast. In the townships of Woodhouse and Charlotteville, which are situated on this part of the lake, there is a considerable extent of country thinly timbered, whose cultivation is facilitated from the want of underwood. It exhibits more the appearance of a royal forest in Europe than that of and American wilderness." pp. 150-175.

The observations of another traveller, who arrived soon after, are not less instructive from a different point of view.

Robert Sutcliff, a Quaker merchant residing in Sheffield, England, made a prolonged visit to North America in 1804, 1805 and 1806 on commercial affairs. He resided for several months in Philadelphia and travelled extensively in the States of New Jersey, New York, Maryland and Virginia. During this time he kept a careful journal without any thought of publication, which was eventually edited and printed for a friend, W. Alexander, at York in 1811, and has become a rare book. In the fall of 1805 he made a leisurely journey through

New York and entered Upper Canada by way of Batavia and Buffalo, apparently with the object of seeing Niagara Falls.

11th Month 30th. After breakfasting at Buffalo Town, he wrote, I crossed the Rapids about three miles below Lake Erie. These Rapids are a very considerable River, being at this place nearly one mile over, and conveying a vast body of water, which passes in its course from Lake Erie to Lake Ontario. I observed, as I rode along, a number of large fishes that were thrown on shore, and saw many ravens hovering about and devouring them. In travelling upon the banks of the Rapids for many miles the roaring of the Falls is heard resembling distant thunder. Being in Upper Canada, which is under our own government, it felt to me something like being in England, and occasioned a pleasing sensation. Here I observed a number of good farm houses, the pastures and wheat looked remarkably fresh and green, and a large fine herd of cattle were grazing in the fields. In conversation I found that many of the inhabitants are of German or French descent. In the afternoon I came to Fenning's[1] Tavern at Chippaway, a town on the Creek of that name. Here is a block house fortification, at which an English garrison is stationed. From the windows of the tavern clouds of mist are seen rising from the Falls, and the noise of them is so loud that a person seems to be close upon them, although they are nearly three miles distant. I was informed by several of Fenning's family, that the concussion occasioned by the descent of so large a body of water is such, that in a still summer's evening, a constant tremor of the earth is perceptible, and the loose glass in the windows is so shaken as to produce considerable noise.

12th Month 1st. I lodged last night at Fenning's Tavern, where I had as good accomodation as could be desired. In this family I met with a young man[2] who had his education in our society[3] and is a commissioner or surveyor under the English government, for the disposal of lands to new settlers. This young man kindly offered me his company and assistance in visiting the curiosities in this neighbourhood. However it being first day[4] and there being no meeting near, I preferred spending the forenoon alone. Therefore immediately after breakfast I walked down to the Falls by myself, the tremendous noise, with the volume of spray and mist arising from them, being a sufficient guide to the spot. The first view of this wonderful cataract is from the principal road, which, though not the most complete, is perhaps as beautiful as any, but being from a situation which is level with the river above the Falls, a considerable part of the cataract is hid from the eye. After taking a circuit of about a mile, the path leads down a steep precipice, which is descended with considerable difficulty, and not without the aid of a long ladder, placed there by a neighbouring planter, as well for his own convenience, as for that of strangers. Immediately below the cataract, the river is confined between two steep rocks that form a deep winding valley, through which the waters flow in their course towards Lake Ontario. This valley is terminated by a perpendicular rock of 53 yards in height, which runs across, forming an angle pointing up the river, over which this vast body of water precipitates itself with astonishing rapidity, and with a noise so tremendous that it can scarcely be described. On the top of the rock is a small island, which divides the cataract into two parts, and in such a manner that the greater part of the water pours over the rocks at the extreme head of the valley, and the rest on one side of it. A little above, opposite Chippaway, the river is two miles over, but directly above the falls it narrows to about a mile in breadth. I was informed by Joseph Ellicott[†] and his brother, at whose house I lodged, that they had twice measured the falls, and found them to be 158 feet in height, and about 1800 yards in width from the opposite edges of the river[*]. I was told by the ferryman, that about 16 miles above the Falls the river was nearly one mile in width, and that, in the middle, it was 40 feet in depth, and in common the stream ran at the rate of six miles in the hour. If this be really the case, and I have no cause to doubt it, the quantity of water passing over the Falls, and continually suspended between the top and bottom, may be more than 400,000 tons. If the additional weight and velocity gained by a fall of 158 feet be added, the weight of these prodigious columns of water would exceed three millions of tons. Such an enormous specific gravity falling at once into the gulf below, may bring the account of the Falls being heard, under favourable circumstances, at the distance of 40 or 50 miles, within the limits of credibility.

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[1] John Fenning. [2] Probably Malcolm Burwell. [3] The Society of Friends or Quakers. [4] Sunday.

"Having reached the bottom of the precipice, and approached as near to the cataract as I could with apparent safety, I sat down, and spent about two hours in contemplating this astonishing natural curiosity, which is said to be the greatest cataract in the world. The tremendous roar arising from the Falls added to the awful sublimity of the spectacle of such an uncommon body of water rushing headlong from the rock with the beautiful surrounding perspective, altogether form a scene which it is impossible to describe. As the morning was bright and clear, a beautiful rainbow was constantly observable in the clouds of mist and spray that are constantly rising from the water below. Here I held my forenoon meeting, and though no words were uttered, it could scarcely be called a silent meeting, the objects before me loudly proclaiming the power and majesty of the Great First Cause and Creator of all things.

[†] A noted surveyor in the State of New York.

[*] Note. This includes both Falls and the intersecting island, which is about 150 yards over.

In the afternoon I returned to the inn, and, after dinner, was invited by the commanding officer of the English garrison to drink tea with him, and his wife and family, in the fort. I accepted his invitation, and spent the evening with them very pleasantly. This officer, whose name is Tallant[1], had spent some time in Sheffield, a few years back, and had married his wife at Liverpool; she is an agreeable young woman, and well acquainted with some friends[2] of Liverpool. They had a fine child with them, and upon the whole seemed happier than could be expected in such a situation. They behaved with great kindness to me, and it appeared a gratification to them to entertain an Englishman.

12th Month 2d. This morning I had the company of W. S——[3], a minister of our society, belonging to Pelham monthly meeting, in this neighbourhood. He kindly invited me to his house, to spend a few days with him, but I could not conveniently accept his invitation. In the forenoon I paid another visit to the Falls, and it being a dark cloudy day, the whole view had a more gloomy and solemn aspect. There being none of the glare and glitter of the sunshine, the eye could rest steadily upon it, and, having a pencil and paper with me, I took a sketch of the scene.

In the evening I came to D. P——s[4] of Black Creek meeting, at whose house I lodged. This is a pleasant situation on the banks of Lake Erie[5] and D. P——s establishment presents an agreeable specimen of a Back Wood family. In the room where we breakfasted, was a loom for weaving; in another apartment were spinning wheels, and some of the girls actively platting straw and making it into hats and bonnets for the family. In addition to our tea and toast, we had excellent broiled fish taken in the Lake, where they easily procure great quantities. These persons were so situated, that in their own family they had the means of procuring nearly all the necessaries, and even many of the luxuries of life. It was a very beautiful sight to see ten fine orderly children sitting round the table with their father and mother, who were still in the prime of life, and living independently of the uncertainties of commerce. The eldest daughter appeared to be about 16 years old. One of the sons, who was but a boy, entertained me with an account of his having lately killed a bear, as it was in pursuit of his father's hogs. The English government, in order to encourage the settlement of Upper Canada, grant to new settlers 200 acres of land, and 50 acres additional for each child, reserving to the crown the minerals and the white pines. D. P. gave me the perusal of his grants, from which I gathered the conditions. Some little expense attends the grants in the fees of office, though but trifling, and their taxes amount to a very small sum per annum for each 100 acres.

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[1] Captain Joseph Tallon of the 41st Regiment, who afterwards was distinguished at the capture of Detroit and the combat at the River Raisin when he was wounded. [2] Quakers. [3] Perhaps a clerical error for W. L. William Lundy was a leading Quaker in Stamford at that time.

[4] Probably Daniel Pound of Bertie; see Papers and Records of Ontario Historical Society, XXVI, p. 273. He brought three children with him into Upper Canada in 1785 and the others had been born in the province.

12th Month 3d. I left Black Creek, and the morning being clear and calm, the scenery around was beautiful. After riding about 10 miles on the banks of Lake Erie, I came to Fort Erie, where I got some refreshment at the inn, and proceeding a little farther, I got into the ferry boat, in company with an old drunken Indian and his squaw. These poor creatures I had seen this morning before at the inn, endeavouring to persuade Fenning, the landlord, to exchange spirituous liquors for a piece of printed calico, which the Indian had received as a present from the agent of the British Government in Canada. I was glad to observe that Fenning had the uprightness to refuse taking advantage of this poor creature, which he might easily have done, as the Indian was then in a state of intoxication, and scarcely able to utter anything but Whiskey, the name he gave to spirits. I was told in Canada that many thousand pounds per annum are expended in presents to the Indians to ensure their friendship in time of war, and that the greater part of these presents are exchanged for spirituous liquors, which they use to great excess, many times to the loss of their lives, and always at the expense of their health. (Pp. 152-159.)

Joseph Brant, who had quarrelled with Colonel William Claus, superintendent of the affairs of the Six Nations at the Grand River, and had been deposed from his position as their representative at a general meeting of the chiefs and principal warriors at Buffalo Creek at the end of March, 1805, which he had declined to attend, voiced his discontent and resentment by an appeal to the provincial parliament.

To the Honorable the Commons House of Assembly
in Parliament Assembled &c &c

The Petition of Captain Joseph Brant

Respectfully sheweth

That in the year 1775 when the war between Great Britain and her Colonies had commenced the Mohawk Nation always faithful to the cause of the King took a decided and active part and leaving their families to the mercy of the enemy brought off the Indian Department through a hostile country into Canada where their conduct was highly approved by Sir Guy Carleton who in a public council with the Indians desired them to take up the hatchet and defend their rights he then solemnly engaged that we should be remunerated for any losses we might sustain during the war

Some years after when it was foreseen that the contest was likely to take an unfavorable turn we stated our situation to the late Sir Frederick Haldimand then Governor and Commander in Chief and requested a confirmation of General Carleton's promise by which it was understood that the Indians who had lost their lands should receive an equivalent in this country and at all events have them as fully confirmed as those they were possessed of before the war and the grant which we afterwards obtained is now before your Honorable House

The lands thus granted although from the quantity and situation by no means an equivalent for our losses we cheerfully accepted in full confidence that they should be our own property at least as much so as those we had sacrificed by joining the British Standard at the commencement of the war

After thus obtaining these lands which are delineated on the map which is also before Your Honorable House we with the approbation of General Haldimand settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture &c I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada by whom it was contemplated to curtail us of a great part of this tract

Considering ourselves under the protection of his Majesty it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under Divisions have been fomented amongst the Indians by Mr Claus the Deputy Superintendent which may lead to serious consequences He has taken the most unjustifiable means to destroy our former transactions for which purpose he brought a party of Senecas from Buffalo Creek to whom he dictated a paper purporting to make void all we had done respecting the lands in question although he must have known that these Indians who live within the limits of the United States have in their present situation no right to interfere in the disposal of our lands. This will appear by referring to General Haldimand's grant

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property or that Mr Claus through the means he has in his power should disunite us

That a small spot of ground of so little consequence to the British Nation should become a matter of contention we cannot suppose to be their intention but if unfortunately for us this should be the case and if ever this small tract is considered as too large for the former services and losses of the Indians in God's name let them confirm the one half

We are aware that all representations of this nature should come through the Indian Department but as they have long since ceased from paying attention to our complaints we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit

In behalf of the Indians

JOSEPH BRANT
York 14th February 1806 *Agent*

This petition was read in the Assembly on Saturday February 22 and Benajah Mallory the member for Norfolk and Oxford at once gave notice of a motion to consider it in committee of the whole House on the Wednesday following. It does not appear that he was entirely disinterested in this action as he had leased fourteen hundred acres of their reserve from the Indians, with the intention of smelting bog iron ore which was believed to be found upon it in considerable quantities. It was debated in committee on the day named and the next when a report that "the prayer of the said Petition was entitled to a further consideration and that it be recommended to the House to take it into consideration early in the next Session of Parliament" was adopted. But when parliament again met the petitioner was dead

A very daring case of housebreaking and robbery caused considerable alarm and excitement and was brought to the attention of the executive government by a report from an influential local magistrate

FROM ROBERT HAMILTON TO ALEXANDER GRANT

Dear Sir

It is with much Concern that I report to you a most atrocious Burglary allmost accompanied with Murder in the case of Isaac Swayzey Esq the Collector of the public duties in this district & of the assessments of this Township —

On Saturday night the 25th Inst about Eleven oClock soon after the family had gone to sleep the front door of his house was violently forced off the hinges, the lock broken & the door laid on the floor—

Mr Swayzey alone lay in the lower Room to which this door immediately opened and suddenly awakened by the noise he had hardly time to spring from the Bed when he was Violently assaulted by a Stout Man drest in a Blanket Coat with Moccasins & his faced Blacked — With this Man he seems to have had a Violent Struggle & several Blows were given on each side—Mr Swayzes face Neck & body are much bruised and he thinks that having had a fair stroke at his Adversarys face with a Chair he cannot have failed to leave the mark of the blow there —During this scuffle two other Men nearly drest as the other as far as Mr S could distinguish but apparently younger or at least smaller were employed in breaking open a Chest of drawers which stood nearly Adjoining to the door—This they seem to have effected by the stroke of an Ax on the sloping Cover or door of the desk which was split and broken into two or three pieces. Three Bags of Money as Mr Swayzey states stood in the front of the desk. these were taken away from one which was open some pieces of silver were scattered on the floor — The Struggle between Sweyzey and the first Man still continued — he now however received a stroke on the hind part of the head from one of the others — which he apprehended *was with a Sword* but the appearance of the Wound rather indicated the back of an Ax or some other Blunt Weapon The three Men immediately made off without having spoken a word during the whole affair — Three Women were only in the house at this time — A man & a boy who usually sleep there had that afternoon gone to the Mill & did not get back till about one oClock in the Morning — The Women sleeped up stairs in a Room the door of which at the foot of the stairs passed from Mr Swayzeys Room They say that they were forcibly detained in this Room or on the stair by the door being shut or held fast against them — On their getting out the Men were gone & none of them were either seen or heard by the women further than in the Struggle in which they could only distinguish Mr S—s voice —

Two Magistrates myself & Doctor Kerr soon happened to be on the Spott soon after the affair happened We Met next Morning with the other Magistrates & most of the Respectable Inhabitants and from all the Circumstances we were led to conclude that the *perpetrators were well acquainted with Mr Swayzey's house & the habits of his family* —We proceeded Accordingly to search all suspected places, & to examine such suspicious Characters as we could think of but without Success or any Clue by which to guide our enquirys —

The Manner in which this affair has been Conducted, precludes the hope of finding positive Evidence to Convict the perpetrators — Circumstances such as the Mark on the face before mentioned may perhaps lead to discovery And the Evidence of an Accomplice may perhaps be obtained by a promise of Pardon & the hope of Reward — It rests therefore *Sir* with you as president & with the Wisdom of Council to Determine how far this in a Proclamation may be proper or expedient —

We do not doubt but that you will see the Necessity of using every possible means to detect such dangerous Villany and deter such daring offenders to whose Machinations the Country in its present State is so peculiarly exposed —

I am happy to Report that Mr Swayzeys life is not thought in Danger — I have not heard the Amount of his loss ascertained

With sincere Respect
I am Sir &c.

R HAMILTON

The Honble
Alexander Grant President &c. &c. &c

Queenston 28th Jany 1806

(Sundries U C 1806)

After due consideration by a committee of the Executive Council the President was advised to offer a reward for information leading to the conviction of the offenders

PROCLAMATION

ALEXANDER GRANT, Esquire *President Administering the Government of the Province of Upper Canada &c &c &c*

To all whom it may concern — GREETING

WHEREAS a most daring Assault and Burglary were committed on the Person and in the dwelling House of ISAAC

SWAYZE Esquire, in the Township and District of Niagara, by certain persons in disguise and unknown, on the night of the twenty-eighth day of January last past, by violently assaulting, wounding and bruising the said Isaac Swayze, and by breaking open and feloniously taking and carrying away large sums of Money, from his said dwelling House. NOW KNOW YE, to the intent that such heinous Crimes may not go unpunished, and that the Persons and Property of his Majesty's Subjects in this part of his Dominions may be secure under the protection of the law: I, ALEXANDER GRANT, Esquire, President, administering the Government of the Province of Upper Canada as aforesaid, Do, by and with the advice of the Executive Council of the said Province, hereby offer a Reward of SIX HUNDRED DOLLARS to any person or persons who shall make such discovery and give such information, so that the perpetrator or perpetrators of the said crime or crimes shall be convicted of the same. And I do hereby further, offer his Majesty's most gracious Pardon to such person or persons as may be accessary or accessaries to the commission of the said crime or crimes, who shall honestly and without fraud discover the principal or principals who hath or have committed the same.

GIVEN under my Hand and Seal at Arms, at York, this eighteenth day of February, in the year of our Lord one thousand eight hundred and six, and forty-sixth year of his Majesty's Reign.

ALEXANDER GRANT, President

By his Honor's Command

WM. JARVIS, Secretary

A letter from the clerk of the peace to the private secretary of the administrator throws a curious light on the uncertainty of mail delivery and the considerable cost of postage.

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 8th Mrch 1806

Sir

Your letter and packet of the 25th January 1805 (sic) I yesterday received, have Eight pence Currency postage to Pay on the same — as the Clerks of the Peace have no allowance for Postage or for any other business done by them — it may perhaps be as well in future to pay the Postage at the Office at York and not heap the expense upon the Clerks — although trifling as Eight pence may appear at the Capital yet it is something to a Clerk of the peace with a large family at Niagara — I only {send} you the Out side Covers in order that you may see the post Mark 27th Jany 1805

I have the Honor to be &c

RALFE CLENCH

Wm Stanton Esq

Chief Clerk President Office
York

(Sundries Upper Canada 1806)

Under the existing militia act the responsibility for the local organization of regiments and authority to recommend the appointment of officers was vested in the lieutenant of the county who naturally endeavoured to secure the services of the most energetic and influential residents to the several townships.

FROM HON ROBERT HAMILTON TO HON ALEXANDER GRANT

Sir

In consequence of some dissatisfaction and Inconvenience having arisen in the Militia of this County owing to the establishment of a Corps of Artillery which tho recommended & approved of by General Simcoe while Lieut Governor is not Authorized by the Statute of the Province I have been induced to alter the Sistem and to bring the whole body of the Militia into the general Line

This Alteration with the several Vacancies that have lately occurred require a Promotion and new Appointment of Officers a list of Which I have now the Honor to submit for your Inspection and for your Sanction by Signature if approven of — I take the liberty to request that this may be sent back by the first Opportunity as I am Anxious to have the Officers of the three Regiments in orders by the fourth of June

With Sincere Respect

I am Sir &c

R HAMILTON

Lieut County Lincoln.

To his honor

Alexander Grant Esquire
President of the Province
of U C.

Queenston April 28, 1806

Promotions in the Lincoln Milatia

Lieut Colonel Ralfe Clench	to be	Colonel
Major Robert Kerr	to be	Lieut Colonel
Major Johnson Buttler	to be	Lieut Colonel
Captain David Secord	to be	Major
Captain James Muirhead	to be	Major
Captain John Mackay	to be	Major
Lieut George Lawa	to be	Captain
Liantenant William Robertson	to be	Captain
Lieutenant John Powell	to ba	Captain
Lieutenant George Turney	to be	Captain
Lieutenant John Crysler	to be	Captain
Lieutenant James McLean	to be	Captain
Lieutenant James Secord	to be	Captain
Lientenant Daniel House	to be	Captain
Lientenant James Dawdy	to be	Captain
Ensign George Read	to be	Lieutenant
Ensign Gilbert Fields	to be	Lieutenant
Ensign Martin McClellan	to be	Lieutanant
Ensign Henry Smith	to be	Lieutenant
Ensign Latham Stola	to ba	Lientanant
Ensign Nicholas Smith	to be	Lientenant
Ensign Frederick Markle	to be	Lieutenant
Ensign David Bastedo	to be	Lieutenant
Ensign Georga Keefer	to be	Lieutenant
Ensign Jacob Bean	to be	Lieutenant
Ensign Pearce Moore	to be	Lieutenant
Ensign Henry Hixon	to be	Lientenant
Ensign Joseph Smith	to be	Liantenant
Ensign Ralph Walker	to be	Lientenant
Serjaant William Wallace	to be	Lieutenant
Serjeant William Dorman	to be	Lieutenant
John Secord Gentleman	to be	Ensign
Georga Hamilton Gent	to be	Ensign
George A Ball Gent	to be	Ensign
John Servoss Gent	to be	Ensign
Hanry Pawling Gent	to be	Ensign
William Servoss Gent	to ba	Ensign
James Hainer Gent	to be	Ensign
Simcoe Stevenson Gent	to be	Ensign

Elijah Secord Gent	to be	Ensign
Serjeant Robert Brooks	to be	Ensign
Serjeant Christopher Buckner	to be	Ensign
John Cooke Gent	to be	Ensign
John C Ball Gent	to be	Ensign
John MacMicking Gent	to be	Ensign
Anthony Upper Gent	to be	Ensign
Lewis Clement Gent	to be	Ensign
Serjeant Benjamin Smith	to be	Ensign
Serjeant Joseph Snyder	to be	Ensign
John Henry Gent	to be	Ensign
Robert Pettit Gent	to be	Ensign
William Hill Gent	to be	Ensign
Henry Nelles Gent	to be	Ensign
Alexander Cameron Gent	to be	Ensign
John Clark Gent	to be	Ensign
Andrew Rorback Gent	to be	Ensign
John I Taylor Gent	to be	Ensign
Daniel Secord Gent	to be	Ensign

The above List will compleat the Eastern Regiment of the 1st Riding and the Regiments of the 2nd and 3d Ridings of Militia of the County of Lincoln

Thomas Clark Esquire Deputy Lieutenant for the Middle Riding of the District of Niagara.

The foregoing List of Officers is to complete Three Regiments of the Militia of Lincoln and is presented to His Honor the President of the Province and his Approbation is requested by

his most Obedient and
very humble Servant

(Signed) R HAMILTON
Lieutenant County Lincoln

Queenston April 28th 1806
York 7 May 1806

Approved
(Signed) ALEXR GRANT
President

(Sundries Upper Canada 1806)

An effort to compile an estimate of the population of the province met with scanty success owing to the neglect of the township clerks to comply with a recent provincial act

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 20th May 1806

Sir

Yours of the 1st instant I this day Received and regret much that I have it not in my power to comply with the Presidents Commands The Town Clerks a very few indeed excepted have never yet sent into the Office any annual Acct whatever nor more than three or four Townships have been received for Many years past and but One of those (Niagara) agreeable to the Statute

I have the Honor to be &c

RALFE CLENCH,
Clerk of the Peace

Endorsed —From R CLENCH
regrets that it is not
in his power to send
an abstract of the
Population

(Sundries Upper Canada 1806)

A letter to John Askin from his grandson William Robertson then a merchant at Queenston written at that place on 9th October 1806[1] contains a hasty reference to the fatal duel between William Dickson and William Weeks, of which he had just been informed

Ill news travels fast — since writing the above I have heard that Mr Weeks has been mortally wounded in a duel by Mr W Dickson Major or Capt Hunt[2] who was up with you and by the by is said to be a great scoundrel is supposed to be at the bottom of it Judge Thorp also appears much blamed The parties fought on the American side the first Shot took effect & passed through Mr Week s body from the right to the left side but Mr Dickson is not blamed Mr Weeks is much lamented by his friends and every one else

(Askin Papers Dominion Archives)

The controversy in court between Dickson and Weeks was described in a letter from Hon Robert Hamilton and Joseph

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[1] It has been stated that this duel was fought on October 10 which is apparently an error The entry recording his burial in the register of St Mark's church is dated October 7 [2] Probably Henry Jackson Hunt afterwards a merchant in Detroit

Edwards, who were sitting as assessors with Mr. Justice Thorpe at the time, addressed to the Lieutenant Governor, which is undated, but evidently written very soon after it took place.

Sir,

The very extraordinary circumstances which have occurred at the last assizes for this District, and which have unfortunately led to the death of a Member of the Society, we think it our duty, as we had the honour to be associated on the bench with Mr. Justice Thorpe, to state to your Excellency. In a case in which Mr. Weekes the Attorney was employed, he took opportunity while addressing the Court, to introduce the character of our worthy late Governor, Lieut. General Hunter, the Chief Justice Mr. Allcock, and several others of the most respectable characters in the Government of this Province, and to rail against them with the utmost degree of asperity. General Hunter he stigmatized with the epithet of Gothic Barbarian whom the providence of God had removed from this world for his tyranny and iniquity.

He stated Mr. Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred, and attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent.

The presiding Judge sat with the greatest composure to hear this abuse, tho' totally irrelevant to the cause then before him; if he did not applaud, he certainly shewed no serious signs of disapprobation.

We his associates indignant at this indecent conduct from the Bar and at the apathy in the Judge, would have left the Bench to shew our resentment, had not respect for the Court detained us, resolving however most determinedly never to be exposed to the like again, by declining this and all other duty with this Judge. Mr. Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper, assigning as a reason, that he understood a very elaborate argument was to be given by Mr. Weekes. As the argument produced was elaborate only in malice and misrepresentations, we are tempted to believe that the Judge, if not aiding in the fabrication, was certainly previously acquainted with the matter it contained, and that it was not delivered without his privity and probable consent.

Your Excellency has doubtless been informed that this Mr. Weekes has since fallen a sacrifice to his malice and obstinacy; here too we fear the interference of the Judge, or of his party, operated in forwarding the melancholy event. We are assured that for some time after Mr Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice and most probably arising from private malevolence and the rancour in the speaker's mind Mr Weekes shewed no signs of particular resentment to Mr Dickson that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede We have strong reasons for thinking from the conversation of this Party that perhaps some rash promise given when warm produced that obstinacy which proved fatal to him

In the above statement we have carefully recited facts to the best of our recollection In matters of opinion we have to request you to excuse what may appear erroneous

And we are with sincere respect

Your Excellency's most obedient and
very humble servants

R HAMILTON
JOSEPH EDWARDS

(Colonial Office Records, Vol 306 pp 83 85)

Isaac Swayze who then in conjunction with Ralfe Clench represented the second third and fourth ridings of the county of Lincoln in Legislative Assembly endeavoured to obtain reimbursement for the loss he declared he had sustained by the recent robbery of his house in connection with which it does not appear that any arrest had been made

THE PETITION OF ISAAC SWAZEY

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament assembled

The Petition of Isaac Swazey Inspector for the District of Niagara.

Humbly Sheweth

That Your Petitioner has been commissioned Inspector of Licenses for the District of Niagara. That in consequence of the power vested in him by law he collected a considerable sum of money for Duties on Licenses issued 5th January 1806

That on the night of the twenty eighth day of January 1806 his House was broken open and he was robbed of large sums of money of his own private property and the public That amongst the said money was the sum of One Hundred and Seventy Eight Pounds Five Shillings and Eightpence Farthing Provincial currency collected on account of Duties on Shop Tavern and Still Licenses issued the said 5th January 1806

Your Petitioner presumes he has always been punctual in his payments and diligent in the discharge of his duty as Inspector and he believes he will be able to prove to the Honorable House that the said sum was not lost by any negligence on his part

Wherefore Your Petitioner prays that the House will take his case into consideration and grant such relief as they in their wisdom shall think meet and Your Petitioner as in duty bound will ever pray

(Signed) ISAAC SWAZEY

York 19th February 1807

A bill was introduced for his relief which was read a first and second time and referred to a committee of the whole House which reported that further consideration should be postponed until the first week in the next ensuing session which on a division was carried by a majority of five votes. fifteen members voting Mr Swazey was then permitted to withdraw his petition with the affidavits annexed to it

Many of the duties which in later years devolved upon the county councils were then in the hands of the magistrates assembled in quarter sessions whose powers were limited by a provincial statute restricting their expenditure.

THE PETITION OF MAGISTRATES AND OTHER INHABITANTS OF THE NIAGARA DISTRICT

To the Honorable the Speaker and Members of the House of Assembly at York —

The Petition of the Magistrates and principal Inhabitants living along the road between the Lakes Ontario and Erie and its vicinity —

Sheweth —

That the Bridge crossing the mouth of the Chippawa Creek upwards of three hundred feet in length is so much decayed as to render the passing unsafe and has twice endangered the lives of passengers and teams by breaking down

Your Petitioners deem it unnecessary to enlarge on the utility (and indeed the necessity) of a bridge Then since it is so well known to many of the Gentlemen in Your House particularly those representing this part of the Province they

presume to say that no road in this district is more travelled than the road above mentioned

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge which in the present exigence is far too small a sum

Your Petitioners therefore pray that the Legislative Body will be pleased to authorize the Magistrates of the Niagara District in Quarter Sessions assembled to apply an additional sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippawa Creek, or make such other provisions as the necessity of the case requires and which in your wisdom shall seem meet

And Your Petitioners will ever pray

JOHN WARREN, SR.
THOMAS CUMMINGS
SAM'L STREET SR
ALEXR. DOUGLAS and others

This petition bears no date but was read in the Legislative Assembly on the 26th February 1807

When the sale of several blocks of the lands composing the reservation for the Six Nations on the Grand River was approved by the Executive Council Hon D W Smith the Surveyor General William Claus then Superintendent and Alexander Stewart a barrister residing in Niagara were appointed trustees for the management of this business Smith had since removed to England and the responsibility had devolved upon Claus and Stewart causing them considerable anxiety owing to dissatisfaction among the Indians who were divided into contending faction.

FROM WILLIAM CLAUS TO WILLIAM HALTON

Fort George 24th March 1807

Sir

I am extremely anxious to hear what Mr Jarvis intends doing respecting Block No 5 on the Grand River for which he pledged himself on the 4th September last to surrender to the Crown in three months from that date in case he did not comply with the terms on which the lands were originally purchased by him as one of the Trustees I beg leave to say that no one part of that agreement has been complied with to my knowledge I beg leave further to add that such persons are now ready to come forward to purchase that Tract, as I am confident will meet the approbation of His Excellency

I am also very anxious to hear how far His Excellency is pleased to approve the arrangement made by the Six Nations in Council 23d September last respecting Block No. 3 formerly purchased by William Wallace as I have been informed that the persons who were recommended at this Council for the purchase of the remaining part of that Township (45 185 acres) will come forward in the course of a fortnight to tender me the money for the same amounting to £5648 2.6 Pro Curry

In my letter to His Excellency 11th Sept 1806 I explained the difficulties & expence attending the mode directed by the Executive Government for the funding of the money arising from the sale of the Indian land which still causes dissatisfaction among them that mode must still be followed by me upon the receipts of the further payments which I look for daily unless altered by the same power that authorised it

I beg that the above may be Submitted to His Excellency the Lieut Governor for his consideration

(Sundries U C 1807)

In 1804 at the instance of the Colonial Secretary an act had been passed by the provincial parliament for the encouragement of the growth and cultivation of Hemp within this Province and the exportation thereof and appropriating one thousand pounds for the purchase of merchantable hemp grown in the province at the price of forty pounds per ton by commissioners to be appointed by the Lieutenant Governor Robert Hamilton had accordingly been appointed one of the commissioners by General Hunter and was continued in office by Grant

FROM ROBERT HAMILTON TO WILLIAM STANTON

Sir

I have been much honored with yours of 16th Ins Accompanied with 75 Copies of the Hemp Remarks which I shall endeavour to distribute in this Vicinity so as to meet his Honor the Presidents Wishes. —

Tendering thro you to him my best Respects I remain
Sir
your very hum Sert
R HAMILTON

Wm Stanton Esqr

Queenston July 22 1808
(Sundries Upper Canada 1806)

Joseph Frobisher a prosperous merchant in Montreal who was considerably interested in the fur trade with the North West has briefly recorded his visit to Niagara in 1807 in his unpublished journal He was accompanied by Isaac Todd an other leading merchant

July 1807

Tuesday 14 —Arrived within the Bar at Niagara at 9 oClock in the Evening & slept on Board [the Simcoe Captain Sampson]

Wednesday 15 —Breakfasted on Board Dined at Emseys Tavern — Major Short & Capt Roy of 41st Revd Mr Addison & Mr Thomas Dickson Dined with us & in the Evening Rode up to Queenston & slept at Mr Hamilton

Thursday 16 —Went to Niagara & Dined with Mr Jas. Coffin & returned in the Evening & slept at Mr Hamilton — N B Mr Todd remained at Home —

Fryday 17 —Went to Niagara & Dined with Lt Colonel Procter & returned in the Evening

Saturday 18 —Went with a party to see the Falls of Niagara & got down to the Table Rock Rode up as far as Chippawa & returned & Dined on the Road & Slept at Queenston Mr Hamilton

Sunday 19 —Remained at Mr Hamilton — Rain all Day

Monday 20 —Left Mr Hamilton early for Niagara & got on Board the Duke of Gloucester Commodore Steel by 8 oClock in the Morning & sailed for York which we reached by 11 oClock at Night slept on Board (4 miles from shore.)

Tuesday 21—Went on shore — Dined at Moore Tavern and asked to Join the Commodore Grant Judge Scott Mr McLean Mr Chewett & Mr Thomas Dickson

Wednesday 22 —Remained at York all Day Dined with Chief Justice Scott & slept on Board the Duke of Gloucester & got under way

Thursday 23 —After being becalmed all the forenoon the Wind spring up about noon & got into Niagara about 4 oClock & Dined at 41st Mess & in the Evening went to Queenston & slept at Mr Hamilton

Friday 24 —Mr Todd went to Niagara on Business & I went up as far as Chippawa & found Mr & Mrs Waddington at the falls of Niagara — they returned with me & we Dined at Mr Thomas Dickson at Queenston

Saturday 25 —Remained at Home all Day

Sunday 26 —Went to Church at Niagara & Dined at 41st Mess with Mrs Waddington & several other Ladys & returned Home in the Evening.

Monday 27 —Got all our Baggage on Board of the Simcoe Mr Todd & Mrs Waddington & servants also went on Board & Mr Waddington & myself Rode down to Niagara & Dined with Doctor Kerr — at 6 oClock the Simcoe got down & we went on Board & got under way with a slight Breeze —

Tuesday 28 —A good Breeze all Day arrived at Kingston at 7 oClock in the Evening & slept at Walker Tavern

After his return to Montreal on July 31 he summed up his journey in the following words

N B after being absent about 25 days vizt

6½	Days	from Montreal to Kingston
1½	do	remained there
1	do	in crossing Lake Ontario to Niagara
5	do	remained at Queenston & Niagara
1	do	in Crossing to York.
2	do	remained there
1	do.	in Crossing back to Niagara
4	do.	remained at Niagara & Queenston
1	do.	in crossing the lake to Kingston
2/3	da	remained at Kingston
2 1/3	da	to La Chine

25 Days

The attack by the British frigate Leopard upon the United States frigate Chesapeake combined with a general feeling of unrest among the western Indians seemed a certain portent of hostilities and caused evident anxiety among merchants every where in Canada

FROM THE QUEBEC GAZETTE

Thursday September 3 1807

It is stated in a Pittsburg paper that the British merchants at Michillimakinac refuse purchasing any articles of country produce from the Americans, and are preparing to remove their effects from our territory It is further stated that the difficulties with the Indians on that frontier are such as to render it unsafe to travel from Chicago to Detroit by land (To the above intelligence we can add from good authority that the whole of the Indian nations have offered their services to the British Government in case of war with the United States)

About the same time it was reported and widely believed that General Moreau who had been exiled from France and had taken up his residence in the United States would be offered the command of an army organized for the invasion of Canada

COLONIAL OFFICE RECORDS NOVA SCOTIA

Series A Vol 139 pp. 329 330

Halifax Septr 4th 1807

Sir

For the information of His Royal Highness the Commander in Chief I take the opportunity of a Letter Admiral Berkeley will dispatch this day to England of acquainting you that it is generally reported at New York (in the event of War) that General Moreau is to have the command of the American Army he is gone to Canada on pretence of seeing the Falls of Niagara but it is clearly for the express purpose of making himself acquainted with the Country

I have &c
M Hunter
M Gl

Newspapers in the United States continued to publish alarming intelligence from the Indian territory some of which was reprinted in *Quebec Gazette* a semi official publication

FROM THE QUEBEC GAZETTE

Thursday November 12 1807

New York Oct 16 to 24

From a Gentleman just from Ohio intelligence of considerable importance has been received that the Potawattomie Winnanyaw and other Indians to the number of nine hundred have assembled at Greenville on Mud River Ohio The Colonel of the Militia of that part went to them for the purpose of ascertaining their object and numbers. The Indians refused to give him any satisfaction on the subject He then went to the Prophet and told him if he did not he should inform the government of his country He replied I care not a d—n for you or the government of your country I can blow you off the earth like sand from my hand Six hundred of the Kentucky militia had crossed the Ohio at Limestone commanded by General Scott and 1500 Ohio militia were required to march for the purpose of dispersing them

It was reported at Chilicothe that seven thousand Indians had crossed the Lakes and that a number of British agents were among them and it was supposed the former were waiting until joined by these others, when it was expected they would attack the whites

LEXINGTON TELEGRAPH

NEW YORK Oct 17—A letter from Mr Rathbone Missionary among the Indians says that the Chiefs of the six nations are peaceably inclined towards the United States It appears from the report of the commissioners sent out by the Governor of Ohio, that the Indians near Greenville are not hostile The Prophet is said to preach peace being thus taught not by man but by the *Great Spirit* Blue Jacket in a talk addressed to the commissioner stated as their chief complaint that the government agent at Fort Wayne (Mr Wells) was disliked

FROM THE QUEBEC GAZETTE

Thursday December 24 1807

Extract of a letter from a respectable citizen of the U S captain of a trading vessel on Lake Erie dated Fort Erie Roads October 23d 1807

The British have armed all their vessels on this lake viz, the Camden Snow of 18 guns the Gen Hunter a brig of 10 guns, and all their merchant vessels. On Lake Ontario as I am informed, the Duke of Kent a snow of 18 guns a ship the Toronto of 24 guns, and the Governor's yacht the latter a few days since exercised her men and guns alongside the brig Adams

Should hostilities actually take place between the U S and G Britain the posts of Michillimackinac and Chicago it is most probable would be the first places the British would strike to expose a more extensive frontier to the Indians whom they are tampering with to obtain an alliance

The appointment of an experienced officer on the half pay list of the regular army who was also a member of the Executive Council as adjutant general of militia had considerable significance

FROM THE QUEBEC GAZETTE

Thursday January 14 1808

YORK U C — His Excellency the Lieut Governor has been pleased to appoint Lieut Col Aeneas Shaw to be Adjutant General of the Militia forces in this Province

Departed this life on Tuesday the 24th ult. Capt JOSEPH BRANT aged 65 years

A few immigrants from the British West Indies and some even from Saint Domingo had arrived in Upper Canada and this seems to have encouraged others to contemplate following them.

FROM ROBERT NICHOL TO WILLIAM HALTON

Niagara May 14 — 1808

Sir

I have just received a letter from a Gentleman of very considerable property in the Island of St Vincents stating it to be the intention of himself and several other Gentlemen in that Island to Come to this Country with the view of settling in it — and requesting me to say — to what extent persons of his description might expect to receive Grants of Crown Lands on their arrival in the Province — The Gentleman is an European and of undoubted loyalty and as this Province may eventually benefit by the Migration to it of such Characters — I am anxious to transmit to him the most Correct information in my power and if possible from an Official Source —

Doctor Kerr who is the bearer of this has been written to on the Same Subject and can give His Excellency the Lieut Governor more Satisfactory Accounts of the Gentleman in question

(Sundries U C. 1808)

The movement of regular troops of the United States army to reinforce the garrisons of their frontier posts and the arbitrary seizure of boats laden with goods for the Indian trade by the collector of customs at Fort Niagara seemed to portend a declaration of war and naturally increased alarm and led to vigorous protests from their proprietors supported by the Lieutenant Governor and the Governor General

FROM ROBERT NICHOL TO BRIGADIER GENERAL BROCK

Niagara May 21 — 1808

My Dear Sir

Conceiving that in the present State of our Affairs with

the United States it might be desirable for His Excellency the Commander in Chief to have early and correct information of any Movement of the American Troops on our Frontiers — I have conceived it to be my duty to State to you that I have received intelligence that can be depended upon that strong reinforcements of Troops of the line have been ordered from the interior of the United States to the posts of Detroit & Michilimackinac and that a detachment of these amounting to upwards of a hundred Men has already Arrived at Presqu'isle on Lake Erie — I have Conversed with the Captain of the Vessell Chartered to Carry them up — My reasons for being so forward to report this to you is that the sudden Collection of a large force at the present time in these places might very materially affect our intercourse with the Indian Nations and dispose them to Commit hostilities on our distant Settlements before we could afford them the necessary protection — While writing a most unpleasant circumstance has taken place which is I think strong evidence of the hostile intentions of the United States —

Twenty Boats belonging to the North West and South West Companies — Navigating Lake Ontario under the faith of the Treaty of Amity and Commerce — were this Morning fired upon by the American Garrison and Seventeen of the Twenty Captured — the remaining three Made their Escape to this Side — it is unnecessary for me to say More on this Subject as I presume a correct Statement of the fact will be forwarded to the proper Authorities —

I write in great haste the vessel being just on the point of Sailing

I am with much respect

ROBT NICHOL

Brigr General Brock
&c &c &c
Montreal

(C 363 pp 61 3)

FROM ROBERT HAMILTON TO CAPTAIN LEONARD

Queenston May 23rd 1808

Sir

After the conversation I had with you on Saturday on the subject of the Goods now Seized and forcibly detained at your Post the property of the Mackinac Company and solely intended for the Trade with the Indians I think it my duty

to state to you *in this way* the following facts — That however the matter may terminate you may not have it in your power to say that you were uninformed of them — Most probably this statement may be laid before your Government and mine also

Sir James Craig the Commander in Chief of the British Territories in America did send to the President of the United States by Mr Gillespie of Montreal a Representation of the state of the Indian Trade in the interior parts of this country and of the danger to be apprehended from the Indians of those parts were they prevented from receiving their usual Supplies — Mr Gillespie has returned to Montreal perfectly satisfied that this Representation would be attended with the best effects, and having assurance given him that the Indian Trade should not in any way be affected either by the Nonimportation or the Embargo Law and in confirmation of these assurances having been given him we see in the last Supplementary Act on this subject the 15th Section of which most compleatly replaces this Trade in the situation it was in prior to the passing of any of these Acts — As you have this act in your possession I do not trouble you with a Repetition of the Clause referred to — But as you must observe in it full liberty is given for the importation of British Merchandize into the United States for the purpose of Trading with the Indians surely it is absurd to suppose it meant to interdict the persons employed in the Transport of the Goods from touching on the American side of the River or Lakes not for the purpose of Trade but solely for refreshment

On Mr Gillespie's return to Montreal the Mackinac Company trusting implicitly to the assurances given him at Washington proceeded to dispatch the boats usually employed in this Trade and directed the men to pursue the usual Rout along the south side of Lake Ontario as being the safest and shortest and as being the root the Canadians were best acquainted with.

They came unmolested until they reached the mouth of the Niagara River — where in the Waters which divide the two countries they were assailed by a Military force from the Garrison you command — Brought forcibly on shore the Boats and Goods seized by a Collector at your Post and the men thus forcibly deprived of the property they had in charge compelled to leave it and their Boats and to cross the River in the best manner they could without the means of prosecuting their Voyage or of returning back from whence they came —

What you Sir as Commanding Officer may think of inforcing these very strong measures by the aid of your Musketry loaded with Ball some of which reached the houses on the

British side of the River and this against unarmed Men who did not understand your Language nor could conceive your wish *I cannot say* — But had any fatal accident arrisen from this unnecessary exertion of your power — We cannot help thinking that it might have had a very *serious personal consequence to yourself*

Thus much for the Facts that have passed The Evil that has been done may yet be remedied by giving up the Goods and permitting the men in their boats to prosecute their intended Voyage

If you or the Collector are in any doubt with regard to the Quality of the Goods or their destination for the Indian Trade — this shall be ascertained to you by any proof you can in reason require — If you wish for any security that these Goods shall be delivered at the places of their original destination without change or defalcation I here offer it to you to any extent you can possibly in reason demand —

Should these Goods be detained until your Collector can make his Report and receive an answer from Washington, the intention of the Voyage is compleatly frustrated — The Goods may just as well be detained Eight Months as Eight Weeks and this is the time you admit an answer may be expected by the Post — As by such delay an absolute impossibility arises of reaching with them in this Season the different inland Trading Posts for which they were intended

Neither you nor I can doubt after reading the 15th Section of the Act of Congress above referred to But that these Goods will be instantly ordered to be delivered back and will you assist your Collector in detaining them contrary to an express law of your own country with the certainty that their detention can produce no sort of good or advantage either to you or to him but must be attended by incalculable loss to the other party?

I address this to you as I am well assured your advice to the Collector will have full effect in determining his conduct

I am Sir &c

R HAMILTON

Captain Leonard

Commanding the Troops of the

United States Fort Niagara.

FROM THOMAS CLARK TO BLEAKLEY AND POTHIER

Kingston May 24th 1808

Messrs. Bleakly & Pothier

Gentlemen

Ere this reaches you will have learnt by Mr James Crooke that eight of your Boats going round the Lakes have been stopped and seized by the American Custom House Officer at the Garrison of Niagara on Saturday last Mr Hamilton and Mr Thomas Dickson being then at Niagara went over to the Garrison and entered a protest against the Collector's conduct — the Collector said his reasons for seizing them were because they had not regularly entered and reported in passing — On Saturday evening when I first heard of their seizure I learnt that nine Boats were still behind and that the Americans had sent down the Lake to intercept them I immediately got a Boat and with some of my acquaintances went down the Lake in the night and had the good fortune to fall in with them first about 18 Miles below Niagara Fort and had the good luck to bring five of them along with us to this place the other 4 having escaped us last night and went ashore from fatigue not having stopped since I first found them at the 18 Mile Creek I however think they will arrive this evening and escape the crew of the Niagara Collector who followed us near 100 Miles I brought La Belle along with me from Niagara, who will conduct the Boats round the north side of the Lake — At my return to Niagara I will dispatch the three Boats that escaped to Sandwich as also the nine when they arrive distributing amongst them the crews of the 8 Boats that were seized presuming that you will require all the men to send into the Indian Country

Finding a vessel at this place just going off to Niagara I return with her not having been here two hours when I get home every effort shall be made to get the Goods and Boats released in the meantime I think you will do well to apply at Washington for their being delivered up

—I am Gentlemen
Your very obed Servant

(Signed) THOMAS CLARK.

FROM CAPTAIN J LEONARD TO ROBERT HAMILTON

Fort Niagara May 24th 1808

Sir

I have the honor to acknowledge the receipt of your Letter of the 23rd Instant

From my Military Situation I think it would be highly improper on my part to go into the discussion of the principles which governed the United States Collector at this Post in the seizure made by him on Saturday last of the Goods boats, &ca stated by you as belonging to the British Mackinac Company

I must beg leave however to observe that my reply must be only conformable to the observations I made you on the day of the Seizure in the presence of James Muirhead and Thomas Dickson Esquires of Upper Canada and Doctor Joseph West of the United States Army — That the proceedings were under the direction of the Civil Authority of the United States

In answer to that part of your communication which calls in question the propriety of my Military Conduct as Commandant of this Post — I feel myself bound from the expression contained therein to observe that the laws of my country exact from me a Sacred regard to its Civil Institutions and a prompt and ready obedience to its civil authority and that under these impressions and from mature Reflection and deliberation and under the proper application of the Collector at this Post I did conceive it my bounden duty to call forth such part of my Garrison as I presumed commensurate with the object in view

I am Sir &c.

J. LEONARD.

To
The Honble
Robert Hamilton
Queenston

FROM ROBERT HAMILTON AND THOMAS DICKSON
TO LIEUT.-GOVERNOR GORE

Queenston May 25th 1808

Sir

Acting as Agents for some of the Merchants in Montreal engaged in the Peltry trade with the Indians in the interior parts of this Country we think it our duty to state to your Excellency a circumstance that has taken place in this Quarter which threatens to be prejudicial in the highest degree to that body in general but particularly to those of them trading under the Firm of the Mackinac Company

In consequence of the Arrangements made this Spring at

Washington with the Government of the United States thro the Agency of Mr Gillespie a Merchant of Montreal and from which originated (as we suppose) the 15th Section of the last Supplementary Act regarding the Embargo — This Company fitted out and dispatched by the usual Route of the Lakes Twenty Boats laden with Merchandise solely intended for the Indian Trade and consisting of the usual Annual Supplies for these Nations

On the 21st Instant these Boats were stopped in the Waters which divide the two Countries by a Military armed force from the Garrison of Niagara Eight of them forcibly taken on Shore were seized by the Collector of that Post — The Goods unladen and Carried into the Fort — and the Men compelled to abandon the Boats and Cargoes committed to their Charge were turned adrift, to cross the River to the British side in the best manner they could

We went on hearing this to the Collector at the American Post to enquire into the reason of this extraordinary Measure — We could only learn from him that he had Seized the Boats and the Goods because the Men had attempted to pass a Port of Entry without making a Report a Form we believe only required by the last Supplementary Embargo Act of which these people could have no knowledge a Thing never before demanded from Boats in this trade and to which the Canadians who alone navigated these boats are perfect Strangers

The Commanding Officer on application being made to him declined all interference — having only Acted (as he says the Laws of his Country direct) in Aid of a Collector

Thus situated it was thought expedient to state to him the Commanding Officer in a *Letter* the whole circumstances of the Case offering to him the fullest proofs of the Quality of the Cargoes he could require and tendering to him the amplest Security for the delivery of these Goods at the place of destination and for the sole purpose of the Indian Trade that he could demand A Copy of this Letter as also of the Commanding Officer's Answer we now have the honor to enclose — We have also Joined in a Protest against the Conduct of the American Collector delivered in as formal a Manner as our Situation would admit

Three of these Boats came on Shore on our Side and are with their Cargoes now here — to Nine others that were still behind in the Lake intelligence of the above event has been conveyed and it is hoped they have got back to Kingston but of this we are not yet certain

As the Trade carried on by this Company is of great im portance as well to them as to the Inhabitants of this Province And as this extraordinary measure must be Attended with the most serious Inconvenience and heavy loss to all Concerned and as we may foresee but cannot Calculate on the effects it may have on the Minds of the Indians to be thus deprived of their usual Annual Supplies, may we presume to hope that your Excellency may deem this an Object worthy of your Attention And that you will have the goodness by a proper Representation in such manner as you may think best to the Government of the United States to endeavour to procure the Restitution of those Boats and Goods for the Company to their Agents here Tho we are well aware that by the loss of time this requires the Object of the Voyage for the present year is totally frustrated —— Still the getting back the property may prevent a total loss which most probably will ensue if it is detained for any length of time where now Stored And we would also flatter ourselves that this Representation may have the effect of preventing the Repetition of such Evil in time to come

With unfeigned respect we have &c

R Hamilton
Thomas Dickson

To

His Excellency
Francis Gore Esquire
Lieut Governor — Upper Canada
&c. &c. &c.

FROM RALFE CLENCH TO AENEAS SHAW

Niagara 25th May 1808

Sir

I now enclose to you the return of the officers &c. &c. belonging to the First Regt of the County of Lincoln Militia I also send List for promotion and appointments for the inspection and approbation of His Excellency the Lieutenant Governor The List of Field Officers at Present doing duty with the Five Regiments within this County I beg also to lay before His Excellency and are as follows

Colonel Ralfe Clench.

1st Regt Lt Col Robert Kerr Major James Muirhead	Second Riding of the County of Lincoln
2nd Regt Lt Colonel Peter Ball Major David Secord	Laying within the Third Riding of the County of Lincoln

3rd Regt Lt Col John Warren Major Thomas Cummings.	Laying within the Fourth Riding of the County of Lincoln
4th Regt Lt Colonel Johnson Butler Major John MacKay	Laying within the Eastern part of the First Riding of the County of Lincoln
5th Regt Colonel Peter Hare Lt Colonel Andrew Bradt Major Richard Hatt	Laying within the Western part of the First Riding of the County of Lincoln

According to this order the Regiment have ever paraded at any parade trainings or Reviews the 1st 2d and 3rd Regiments were first organized under and by virtue of Commands from Lord Dorchester the 4th and 5th Regiments under Lieutenants of Counties Should His Excellency the Lieutenant Governor be pleased to number the Regiments it will be the means of preventing jealousy and disputes hereafter should the different Regiments meet on the same Parade as we hitherto have been in the habit of doing

I have the honor to be &c

RALFE CLENCH
Colonel 1st Regt L M

Honble Aeneas Shaw
Adjutant General York

(Militia papers. U C M D 30)

FROM FRANCIS GORE TO D M ERSKINE

Niagara Upper Canada

26th May 1808

Sir

The importance of the inclosed papers No 1 2 & 3 requiring that your Excellency should be put in possession of them with the least possible delay I have forwarded them as soon as received

The Honble R Hamilton from whom I received them is a Gentleman of the most respectability in this Province a Member of his Majesty's Legislative Council and a Man whose representations may be entirely relied on

The several documents detail so accurately the Conduct of the Officers of the United States Government that it would be Superfluous for me to add any observations of my own more than to Express my strong apprehensions that the restraint which his Majesty's Government have with so much anxiety and Success laid on the Indians hitherto will become difficult and unavailing when they are informed that the usual Annual Supplies intended for them have been Seized by the Officers of the American Goverment

I have the honor to be &c

FRANCIS GORE
Lt Governor

His Excellency
The Honorable
David M Erskine
Washington

(Sundries Upper Canada 1808)

A letter from Queenston published in the *Quebec Gazette* of July 14 announced Gore s hasty departure for Amherstburg three weeks later

Queenston Upper Canada June 16

Our Lieutenant Governor has been sent for by express from the Indian agent near Detroit and sets out by land this day for that quarter It is reported that some very violent resolution adopted by the Indians (on hearing that their usual supplies for their trade were stopped by the American government at Niagara) has occasioned this sudden and unexpected measure God grant that no mischief may take place before he gets up Col Claus is still there and the Governor takes with him most of the other officers of the Indian department

Gore s journey was reported in the following terms in the next issue of the *Upper Canada Gazette*

His Excellency the Lieut Governor left this place York on the 15th instant on a visit to Sandwich &c We are sorry that he did not as he originally destined proceed by Lake Huron according to his amiable intention and view of promoting the first interests of this province

FROM WILLIAM ARMSTRONG TO FRANCIS GORE

Quebec 26th May 1808

Sir

I had yesterday the Honor of receiving yours of the 30th March which was forwarded I suppose from New York to Montreal from whence I received it About the time you wrote I left the United States from whence I should most Certainly have written you had anything serious been likely to take place, but as I have all along been Convinced that it was not the Intention of that Government to go to War with Great Britain *If they can possibly Avoid it* And all their proceedings being published in the News Papers I thought it unnecessary to trouble your Excelly with my Correspondence more particularly as I was then ignorant of the *proper* mode of Conveyance

Previous however to my leaving that Country I left Directions with two of my friends at Wash and N York that in case they saw a Necessity for it to send you immediate Information by Express — As I know nothing has Occurred of the smallest Consequence you of Course have not heard from them If you should the first will be Dated F and signd L — the other will be Dated A and signed B. — and on their Information you may rely

Notwithstanding all the Supplements and Attempts to Enforce the Embargo or more properly the Non Intercourse Act Immense quantitys of Produce Comes in by every fair wind from Lake Champlain and the Inhabitants of Vermont publickly Declare they will not allow it to be Stopped — of this the Government is Convinced and rather Chuse to wink at the Infringement than run the Risk of an Insurrection which I really expect will take place should the Embargo Continue a few months longer — But a war with France is daily expected & almost unavoidable

The New York Papers will have given you the particulars of the Wonderful Change that appears to have taken place in Spain which I think will be the means of inducing our Government to pay some Attention to Col Burr s proposals, with which I have good reason to believe he is either gone or immediately going to Britain — *This to yourself only* I have Communicated it to your friend Mr C in order that he might be prepared to meet it — No other person knows of it

Seventeen Ships & Brigs arrived here within these two Days from Halifax Britain Ireland & the West Indies & many more are Expected but I dont find they bring any News. Excepting that on the 4th Inst a Report prevailed at Bermuda that a large proportion of the Troops there were about to proceed for this place —

I arrived here the end of last Month & have Reason to believe I shall remain with Sir James Craig who tho much better than he was when I arrived is still far from being so well as I sincerely wish him —

Should I not remain here it is my intention to pay a visit

to Upper Canada for the purpose of paying my Respects to your Excellency & in Person Assuring you that if in any way I can be of Service to you you may Command & Believe me to be with perfect Esteem

Your Excellencys
Most Obed Hble Servt

(Sgd) WM ARMSTRONG

His Excelly
Lieut Gov Gore.
Etc Etc

FROM THE MERCHANTS OF MONTREAL TO HON D H ERSKINE

To His Excellency the Honorable David Henry Erskine
His Majesty's Minister Plenipotentiary to the United
States of America and Washington

The Memorial of the Merchants of Montreal carrying on Trade in the Indian Country within the American Territory

Respectfully Sheweth

That your Memorialists having been apprehensive that the Revenue Officers of the American Government on the frontiers of the Indian Territory might interpret some of the Laws that were existing and had recently been passed in such manner as to impede that free intercourse which your Memorialists as British subjects have a right under an existing Treaty to enjoy in trading with the Indian Nations were induced in March last to represent the same to His Excellency the Governor in Chief of the two Canadas who was pleased thereupon to refer them to you on the subject by transmitting to your Excellency by Gen Gillespie Esquire the Memorial they had presented to him for the especial purpose of obtaining such explanations of those laws as would secure such free trade and intercourse with the said Indian Nations as were stipulated by the Treaty of Amity and Commerce between Great Britain and the United States concluded in 1794 and further confirmed by an explanatory article thereto made in 1796

That in consequence a Law was passed by the Legislature of the United States apparently so clear and explicit as removed the apprehensions that they had entertained and the Trade which before had been entered upon was continued to be prosecuted in full faith and confidence that no molestation or impediment whatever would thereto be given But notwithstanding the said Treaty and the said Law of the American

Legislature your Memorialists have learnt to their utter astonishment that a number of Batteaux belonging to your Memorialists laden with Merchandise for the Indian Trade have been lately seized at Niagara by the Revenue Officer there aided by the Military power of the Garrison as your Excellency will see by the annexed letter from the Honorable Robert Hamilton Esquire one of the Members of the Legislative Council of Upper Canada at a time too when it would appear by said Letter that the Revenue Officer was acquainted with the Section of the Law which took the Indian Trade carried on from this Country completely out of the operation of the Non Importation and Embargo acts of Congress

That this wanton and unjustifiable attack by the Collector on the property of your Memorialists and actual hostility of the Military on the persons of their Servants who are subjects of His Majesty will not be sanctioned by the American Government they are persuaded but unless such violations of Amity law and justice are put a speedy stop to by the most precise orders from the Superior to inferior Officers at a distance the Treaty will be a mere nullity — The Trade must be abandoned and all those concerned in it ruined

That this detention of property and the consequent dispersion of the Servants of your Memorialists the Crews of the said Batteaux who are thus turned adrift will so seriously break in upon the Trade of the year as to occasion a loss that may exceed fifty thousand pounds — for the Goods so detained being an essential part of a general assortment for Indian Trade must render the whole nearly useless as the want of them will be much felt in the same manner as would arms without ammunition or ammunition without arms — besides an immense expense has already been incurred from the necessary preparation for the usual Trade and which expense cannot now be prevented or curtailed — all this is so truly the case that even the restoring the detained goods at as early a period as now practicable can only repair a small part of the injury so wantonly done and will not prevent your Memorialists from looking to a full pecuniary indemnification in proper season at the hands of the American Government for the loss and injury that must be sustained by this destruction and hostile measure and in the prosecution of which claim to full indemnification they look forward with full confidence to the support of His Majesty's Government

That your Memorialists are further informed that the furs and skins arising from the Indian Trade within a part of the American Territory have been stopped on the Miamies River and prevented from being brought to the places of resdence of the proprietors within the British dominions, of which they are subjects and if the same measure of injustice is extended to Michilimackinac your Memorialists confidently assert that the eventual loss may exceed two hundred thousand pounds Sterling

Your Memorialists consider the stoppage and seizure of the Batteaux in question as a gross violation of the Treaty of 1794 in this further point of view that *the right* to navigate the Lakes Rivers and waters of the Continent of America within the country of the contracting parties is most precisely thereby secured under *such right* these Batteaux were loaded at Montreal for a destination far beyond Niagara and to go by the accustomed route which necessarily leads them to coast the British shore of some of the Lakes and the American shore of some of the others according as the said shores of one or the other are most favorable to safe navigation in Boats

In the present case those Batteaux were peaceably proceeding to their said remote destination along the American shore of Lake Ontario, and when crossing as usual from the point at the entrance of Niagara River over to the British side of that River they were most unjustifiably fired upon and brought back although borne either by British Waters or those to the use of which his Majesty's Subjects had an unquestionable right It will not therefore escape your Excellency's observation that His Majesty's Subjects being so fired upon when out of the American Territory and some of the Balls actually coming over to the British side places the transaction upon a footing of most decided and unequivocal hostility

The Collector is said to support his conduct upon the pretext of their not stopping to report — The right to demand such stoppage and report when coasting the Lakes and Rivers of communication between them merely for the purpose of arriving at a distant destination your Memorialists have ever denied and now deny and they rest their pretensions upon the fair interpretation of that Treaty which universal practise has hitherto sanctioned and which is confirmed by an instance on Lake Huron near Michilimackinac where a seizure of some Boats belonging to the North West Company being made by the Collector of that Port the property in such Boats was after a full discussion in the American Courts restored

That under all these circumstances your Memorialists urge the necessity of your Excellency's making a strong representation to the American Government upon the subject of complaint and obtaining from the proper authority such explicit instructions to the Revenue and Military Officers as may immediately liberate the property detained as also that without loss of time

instructions be sent to all the interior Posts to enjoin in future a liberal and just compliance with the Treaty of Amity and Commerce and the fifteenth Section of the 4th Embargo act which relates to the Indian Trade

JAMES & AND. MCGILL & CO.
FORSYTH RICHARDSON & CO
MCTAVISH MCGILLIVRAY & CO
PARKER GERRARD OGILVY & CO
J BLEARLEY for self ⎧ Agents
GEORGE GILLESPIE ⎨ for the
TOUSSAINT POTHIER ⎪ Mack'w
DAVID MITCHELL JNR ⎩ Company

Montreal 27th May 1808

FROM JAMES MCGILL TO HERMAN W RYLAND

Montreal 30th May 1808

Dear Sir —

I beg leave to trouble you with a Memorial from the Merchants of this place carrying on the Indian Trade within the American Territory to His Excellency The Governor in Chief and copy of a memorial to His Excellency David Henry Erskine His Majesty's Minister Plenipotentiary at Washington which they despatched by a confidential & Special Agent yesterday and they request you will lay the same before His Excellency the Governor in Chief — Copy of the Letter from Mr Hamilton & Spoken of in the Memorial would have accompanied these but it was forwarded yesterday by Brigadier General Brock & renders it unnecessary to trouble you with another — The Merchants were most desirous of having the recommendation of The Governor General to Mr Erskine but as this would have occasioned delay & every Hunt being precious under the existing circumstances they thought it best not to lose any time more especially as they knew His Excellency's sentiments on the subject of the Indian Trade by his ready assistance in March last when Mr Gillespie went to Washington on that business

I think it right to add that since the Memorial to His Excellency was framed the Merchants have received information from the Conductor of the Battoes that were seized that he had five Battoes under his Charge with three of which he reached the British side & two of them were seized that he was fired upon by the Men from the American side who came off in a Battoe to stop them — That six other Battoes were seized which had not come up when he passed the American

Fort & he thinks must have been at some distance from the Fort when seized That further an American Boat was despatched with armed Men with the evident purpose of laying Hold of Nine other Battoes loaded which were yet in the Lake & were only prevented by the greater Celerity used by Mr Clarke of Niagara Agent for the Memorialists who in a light Battoe well manned & armed went out into the Lake to meet these nine Battoes & succeeding in bringing them back to Kingston notwithstanding they were pursued for a length of time by the American Battoe

It is proper to mention for the information of His Excellency that the Battoes in question were twenty in number divided into four Brigades that they passed Oswego an American Fort & Custom House without molestation notwithstanding they were in reach of the Collector who saw them pass & was heard to declare by a Person now here that he had no right to stop or molest them — From this circumstance it would seem either that the Collector of Niagara had not similar Instructions or if he had he has wantonly disregarded them & injured the concerned to such extent as few private fortunes can bear & still fewer make up for — Conceiving however that a different line of Conduct will obtain at the other American Ports The Merchants mean to prosecute their business, trusting that the heavy Loss they must sustain will be considered worthy the notice of the Government & compensated in due Season

I have the honor to be with your truth & regard Dear Sir
Your obedt & very hble Servt

JAMES McGILL.

Herman Wit Ryland Esq

P S Since writing as on the other side Mr Clarke's letter has come to hand and I am forwarding a copy of it

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of The Bath Captain General and Governor in Chief in and over the Provinces of Lower Canada Upper Canada Nova Scotia New Brunswick and their several Dependencies vice admiral of the same general and commander of all His Majesty's Forces in the said Provinces of Lower Canada and Upper Canada Nova Scotia and New Brunswick and their several Dependencies and in the Island of Newfoundland &c &c &c

The memorial of the merchants of Montreal carrying on the Indian Trade within the Territory of the United States of America

Most Respectfully sheweth

That your Memorialists have been lately informed by letter from the Honorable Robert Hamilton of Niagara a member of The Legislative Council of Upper Canada that a most violent and hostile attack had been made on their Boats and Battoemen carrying Goods for the purpose of the Indian trade on passing the American side of the River of Niagara by seizing their goods to a great value and firing on their Battoemen

That in consequence of this information Your Memorialists considering the necessity of losing no time in applying for Redress have dispatched a confidential and special agent to Washington with a memorial to His Excellency D H Erskine His Majesty's Minister Plenipotentiary on the subject and of this memorial and Mr Hamilton's letter copies accompany the present for your Excellency's fuller information and to which they pray your attention

That your Memorialists after the representation transmitted by your Excellency on the same subject in March last to the Honorable Mr Erskine to which so satisfactory an answer was given by the American Legislature passing a law to exempt the Indian trade from the non importation and embargo Acts in as much as they might relate to British Subjects trading with the Indians within the American territory see with pain and astonishment that neither the Treaty of amity and commerce between Great Britain and the United States of America nor laws made by themselves are sufficient to prevent the subordinate officers of that government from committing acts of violence and injustice on British Subjects and insulting to Government

That in addition to the representations made to Mr Erskine your memorialists have to state that if the Battoes have been fired upon and the goods seized because they were passing an American post without making entry of such goods the waters of Lake Ontario and all others along the chain of internal communication must be considered as interdicted to British Subjects, for vessels must frequently from contrary winds be under the necessity of approaching within gun shot of the American shore and were they to be forcibly stopped for not reporting at such Posts the whole intercourse of merchants vessels from British Post to British Post upon the Lakes would be stopped a pretension too absurd to be endured as it might expose to seizure the Furs of The North West, not coming from the American Territory and Flour and other Provisions coming direct from Detroit or Niagara within His Majesty's Dominions for we do not consider the exemption from the non importation or Embargo Laws as conferring the right of navigating the Lakes We ground such right on the Treaty of Amity and Commerce which to the subjects and citizens of Great Britain and the United States of America gives the free use in common to both of all the waters which divide their respective Territories in America.

That your Memorialists seeing the insecure state in which by this assumption of Power the whole Trade of the Upper Country is placed do for themselves and others concerned in it most earnestly entreat that you will lay their complaint before His Majesty's Minister that they may adopt such measures for granting relief and security in the premises as they shall deem necessary and in the meantime they pray that your Excellency will be pleased to communicate your sentiments to Mr Erskine on this subject and give such directions to the proper officers of Government who are charged with protecting the subject and his property as in your wisdom you may see fit

Your memorialists beg leave to add that as soon as further communication on this subject comes to their hands they will communicate the same to your Excellency and being fully aware of the loss and injury that they will sustain by this forcible detention of their property and violent act of Hostility they mean to claim full pecuniary compensation from the American Government for the same through the channel of that Government of which it is their pride and Glory to be subjects
Montreal 30th May 1808

JAMES & AND. MCGILL & CO.
FORSYTH RICHARDSON & CO
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PARKER GERRARD OGILVY & CO
J BLEAKLEY for self { Agents
GEORGE GILLESPIE { for the
TOUSSAINT POTHIER { Mackinaw
DAVID MITCHELL JNR { Company

THE QUEBEC GAZETTE

Thursday June 2 1808

MONTREAL 30th May 1808 —We learn from Niagara that several Boats belonging to the Michilimackinac Company on passing that place were fired upon by the American fort and brought in and the property seized which was afterwards demanded by Mr Hamilton a British merchant who produced the late clause of the Embargo act as a proof that the act was unlawful The only answer which he received from the American commander was that he construed the act in a different manner and he should detain the property and take the consequences upon himself On firing upon the boats some of the balls are said to have passed over upon the British side Considerable damage is also said to have been done to the boats before they were brought to.

THE FOLLOWING IS THE CLAUSE OF THE ACT ALLUDED TO PASSED THE 22D APRIL LAST

Sec XV And be it further enacted that nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States or in the several acts supplementary thereto or in the act to prohibit the importation of certain goods wares and merchandize shall be construed to prevent the exportation by land or inland navigation from the territories of the United States into those of Great Britain of furs and peltries the property of subjects of Great Britain and by them purchased from the Indians or to prevent the importation by land or inland navigation from the territories of Great Britain into those of the United States of merchandize the property of British subjects and by them imported solely for the use of the Indians aforesaid

An extract from a letter from Thomas Clark to Colonel Talbot at Port Talbot dated at Queenston on June 7 shows the dislocation of commerce caused by this event

The bearer Le May Conductor of four Boats going round the Lake will deliver you three parcels — one containing news papers one clover and Rye grass seeds — the other One hundred Dollars. By the Boats at this time I was in hopes to have sent up your other articles but from 8 of them having been seized at Fort Niagara by the American Collector & 5 from desertion of the men being left at Kingston puts it out of my power having had to load the others deeper — every thing shall be sent to Fort Erie and can easily be taken to Long Point by Loders vessel that is should no direct opportunity offer for Port Talbot

Robt Nichol has gone to Washington to endeavour get his 8 Boats & goods released I expect to hear of him in the publick papers before he returns

(Coyne Talbot Papers I 98 9)

FROM JOHN RICHARDSON TO HERMAN W RYLAND

Montreal 20th June 1808

Sir —

I have had the honor of receiving your letter of the 15th instant inclosing by command of the Governor in Chief a copy of a letter to Mr J A Panet Mr J T Taschereau

Mr P Bedard Mr J L Borgia and Dr Blanchet dismissing them from their situations as officers of Militia and to Mr Plante dismissing from the office of Inspector of the King's domain and clerk of the Papier Terrier as also of a Letter to the Hon'ble G Taschereau Esquire desiring that his Son Mr J T Taschereau should be no longer employed as his Deputy in the office of Grand Voyer for the District of Quebec, and in all which Letters the reasons of dismissal are assigned

I have to return my most respectful thanks to His Excellency for his condescension in making this communication which I beg leave to express through you

Mr Michael who carried down the memorial to Mr Erskine about the seizure of the Boats at Niagara is already returned having found him at Philadelphia from whence he immediately returned to New York with a dispatch to Mr Gallatin then there — From that gentleman however no satisfaction could be had as he would not interfere in any shape until he had received the report of the seizing officer which could not be before his return to Washington

He seemed however to justify instead of condemn the requirement of an entry and report to their Custom Houses, even when only coasting their shore for an ulterior destination which principle has never before been acted upon but in one instance where the decision of their own courts was adverse thereto nor can it ever be admitted by British Subjects without rendering the right of Navigation by Treaty nugatory or even worse as a Trap for our Trade thereby to expose it to vexations that must speedily produce its annihilation — This probably is their object There is such a want of good faith on the part of America in the execution of all Treaties that we have been from first to last completely duped by giving up a substantial something to receive what by their practical exposition may amount to nothing or even worse than nothing an actual loss of property

From this little specimen at Niagara it may be seen how Jonathan would illustrate his favorite doctrine of the Liberty of the Seas if he possessed the power of the British Navy

Mr Michael on his return to New York found there Mr Nichol the person dispatched by our agents at Niagara on the same business and who intending to proceed on to Washington to obtain a final answer it became unnecessary for the former to go there also — This is the reason of his bringing no dispatch for the Governor in chief as when he left Mr Erskine at Philada it was under the impression of again seeing him — He forwards to day a Letter from Mr Bond —

The last Raft on Lake Champlain has been brought in by force — There was a good deal of firing with Ball between the people of the Raft and Militia but no lives lost although both sides seem to have been in earnest

I very respectfully am
Sir
Your Most Obedt Servant

JOHN RICHARDSON

Herman W Ryland Esquire
Endorsed
20th June 1808

From Mr Richardson in answer to the letter announcing the removal of certain persons engaged in publishing the *Canadien*

FROM JAMES MADISON TO D M ERSKINE

Department of State
June 29th 1808

Sir

Your Letter of the 21st Inst on the Subject of the detention by the Collector of Niagara of certain Boats belonging to Canadian Merchants engaged in the Indian Trade was duly received and communicated without delay to the Secretary of the Treasury on his return to this City The inclosed Copy of his instructions (*) to the Collector will explain the Interposition which has been thought best adapted to the Case under the imperfect knowledge yet obtained of the Circumstances. I will make no other addition to it therefore than merely to observe that as the Agents of the Montreal Merchants seem to be aware a Law of the United States was violated without any other Plea except that of Ignorance the Tone of their Complaint ought to have been very different and that a resort to the Justice of the Government of the United States in all Cases to which it is applicable will always be found by the Officers of His Britannic Majesty the most efficient as well as the most amicable Course for their adoption

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FROM D M ERSKINE TO FRANCIS GORE

Philadelphia July 4th 1808

Sir

I had the Honor to receive your Letter of the 26th of May with its several Inclosures respecting the seizure & Deten

tion by the Collector of Niagara of certain Boats belonging to the Merchants in Canada engaged in the Trade with the Indians.

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* These Instructions order the Boats to be released by the Collector who is to take Security for the Goods to abide the Decision &c

The inclosed Letter will explain the Result of my Application to the Government of the United States upon the Subject & Mr Nicholl is the bearer of the Instructions (refer'd to in Mr Madison's Letter) which have been given by the Secretary of the Treasury to the Collector at Niagara upon the Occasion

And I have forwarded to Sir James Craig Copies of the Correspondence which has passed upon the Subject between the Government & myself which I have not put under a flying Seal for fear you might not happen to be at the Seat of Government but request the favor of you to open them & after having read them to transmit them to Sir James Craig the Governor in Chief by the earliest Conveyance

(Sundries U C 1808)

Signs of unrest and discontent among the Six Nations in Upper Canada and the United States were apparent and did not fail to cause considerable anxiety

FROM WILLIAM CLAUS TO PRIDEAUX SELBY

Fort George 10th August 1808

Sir

A vast number of Indians are at this Post just now upwards of one hundred & sixty several from the Grand River who complain of the great distress they are in for Bread those who I find are in real want and not through Idleness or their having sold their Corn I will give them a little relief it will not be Long before the Corn will be fit to use consequently Less flour will be given them than otherwise — The others from Buffaloe Creek and that Neighborhood I met them this day when they Declared very Publicly that the statement made by their Interpreter respecting the war Belt being given to them by me was unjust and Denyed that they ever told the Interpreter or the Agent Mr Granger any such thing — That in their Council Last spring they shewed the Belt which I gave them on the differences between the Grand River Indians being made up which Belt was to cover all past Animosity They then told me that they had come to a Determination to sit quiet in case of any quarrel between the King and America and not to spill the Blood of the white men and that their Friendship for the King was firm — I merely returned them the usual compliment and said very Little more to them to shew them that I was not pleased with their Conduct — The Missisagoes are also here to the Number of 51 they are very inquisitive about the additional Payment for the Land they sold three years ago on the subject of which I would be glad to hear

The Requisition for the post has not been completed and what with those things sent to Amherstburg Last fall and the great Demand on the Store of *This Post* for the payment of *all* public Service performed by Indians will reduce Our Annual presents very considerably indeed.

I am Sir &c.

W Claus

P Selby Esquire
&c. &c

(Claus Papers, Vol 9. pp 239 240)

The following letter which is unsigned but initialled by the Governor General for transmission to the Colonial Office was probably written by John Norton who had acquired great influence among the Six Nations of the Grand River

Grand River 10th August 1808

Dear Sir,

Your intention to attempt the civilization of the Tribes within the British Limits as also the present appearance of the disposition of the Americans which indicate that it is not improbable for a rupture to take place between them and the British Empire induce me to give some Ideas of our situation it striking me forcibly that either to civilize the Tribes, or to hold them in a situation ready to give assistance to the British Government it is necessary that their settlements should be more compact than they are at present

The intention of the Americans towards the Tribes is sufficiently clear the annuities they allow them for the lands they have usurped are intended to sooth them and retain them within their power The Senecas or Oudowages who are the most numerous branch of the five Nations are detained within their Limits by this measure an annuity arising from the Lands they have relinquished amounting to somehting more than 6000 Dollars is paid the Nation which divided gives 3 Dollars to each person several of the Principal Chiefs receive annually from 100 to 300 Dollars thus Interest retains them contrary to their affections for I feel assured that they are more sincerely attached to the British and to their Brethren here than they are to the Americans The Ondowages and Cayugas received annuities for their lands 2 500 Dollars each Nation these have suffered a considerable Diminution this year through the medium of those of the Nation who remain within the American Bound

ary but whether at their instigation or not I cannot pretend to say

As the Tribes are under the protection of the British Government and the Annuities are more than a just debt would it be improper for His Majesty to interfere and issue the payment of them to the Tribes should they remove within the Limits of his government or should a War take place and they espouse his cause The whole amount of this which is the only support of the American influence with the five Nations falls short of 12 000 Dollars Yearly a sum not at all to be compared to the great Expense of the Indian Department The sale of a few Townships of land made by Government in this Country might raise a sufficient sum to create such an annuity

After breaking the bands of American influence the next thing to be effected is to collect the Five Nations in One Settlement either on the Grand River or to the Westward of the River Thames towards the Shores of Lake Huron in the first situation they would be more under the eye of Government, in the latter more conveniently situated to serve them in negociations with the Western Tribes, and less exposed to be contaminated by the vices of those kind of people that are continually crowding into New Settlements 1200 Men collected into one settlement might be more relied on in time of War than scattered Divisions and would require little more trouble to improve and Civilize than a settlement of a much smaller number

I have heard it remarked that something has been said at York respecting the utility it would be of to the Country to have the five Nations removed from the Grand River to a more westerly situation but I am glad to hear also that His Excellency the Lt Governor observed he would do nothing in it unless it should be proposed by the Five Nations themselves.

As this subject has been stated I shall give you my private opinion on it The grant of General Haldimand is so long and narrow and the settlements so new as that it is impossible for us to keep liquor from among us unless when the people have resolution to refrain from drinking The people would be more distant from the Americans consequently less liable to be corrupted by their Intrigues More approximate to the Chippawas Ottawas Poutawattomies, Shawanoes Wyndots Miamis and others from the Southward that might be collected between the Lakes and the Mississippi as I have already mentioned in a Letter to Mr W

On the other hand as the Grand River lands are of such higher value from their situation than any we could receive

on Lake Huron (lands not equal in fertility for five miles from us selling now for five and six dollars an acre) it would be neither reasonable nor just to obtain them from the five Nations and grant them away to others neither would it be to the advantage of the Country The Government should first take a view of the whole and provide that none of the Industrious be injured by the change by giving individual grants to every Family or Man that had made any improvement according to the extent of their improvements then the sale of the remainder to be made under the inspection of Government and after securing annuities superior to those paid by the Americans with the remainder purchase a tract from the Chippawas on Lake Huron such as might be chosen by the Five Nations convincing them in the whole proceeding that the Grant of General Haldimand was not violated but changed to remedy the difficulties it had been involved in

As the lands on Lake Huron from their situation are not likely to be wanted by Government this Century the same extent should be given to the Five Nations as General Haldimand granted only in a different form instead of 120 by 12 let it be 50 by 30 a Mission might there be established for giving Religious Instruction and a Seminary formed to instruct the Youth in Agriculture and Letters.

For the encouragement of industry a Trader should be placed on our settlement with useful Articles such as Blankets woollens, cottons iron cutlery and ammunition with these to purchase Wheat and Pork as well as skins the money of the Five Nations placed in the bank by the Agents of Government might in this manner be turned to the Support of Industry those cultivators of known industry and economy might be allowed to borrow of the public to half the amount of the property they possess in improvements cattle &c or mortgaging the same for the payment to pay annually the interest and so much of the principal as to discharge the whole in twenty years or sooner should he who borrows see fit

Many are the obstructions and clogs to industry existing in the customs of the Five Nations more than in any constitutional Indolence I know it because I have felt the inconvenience myself but if we can make a good road I feel assured that there will be some to walk on it and time may at last effect the desirable change

The Mohawks are improving rapidly there are several so much agriculturists as to raise three or four hundred bushels of Wheat in the Year those who suppose that the being farmers will debilitate them from being Hunters are mistaken The most industrious at the plough generally shew themselves the most persevering at the chase when in Winter they throw aside the hoe and take up the gun

I wish you to understand this not as proposal from me but rather as the most equitable and justifiable method to be taken by Government should the supposed good of the Colony induce them to desire any further relinquishment of the claims of the Five Nations and should such a change take place the tract of land given in exchange should be sufficiently capacious to assemble therein all the Tribes of Upper Canada Their being collected in a body would be more for the good of the Empire in case of a War and a teacher with little more exertion would be in a situation of aiding the cause of religion much more extensively as a Fowler who fires at a great flock of Pigeons has a chance of killing many more than if he had shot at a few

The influence of Government might also be maintained among them by a resident on the spot much more effectually than it can be by a Superintendent General at the distance of some 100 Miles, frequently unacquainted with the Tribes they superintend

The great expence the Government is at in sending out goods and employing Store Keepers and Clerks might be rendered unnecessary by furnishing an annuity in the manner I have already explain to counterpoise that given by the Americans and a respectable trader appointed by your intended society would furnish the necessary Merchandise according to the varied wants of the Individuals Only in case of War the Arms Ammunition and clothing wanting for those who embodied themselves to serve might be furnished by Government

The situation of the British in this Country is at present very similar to that of the French at a former Period The great disparity of the force of this Province to that of the United States & its inland situation renders an alliance necessary and except the Senecas whose Character Mr T does not seem to be acquainted with the Aborigines are natural Allies from their antipathy to the Americans and Affection to His Majesty The French to secure more effectually the services of the Tribes always used their utmost endeavours to have their settlements compact which they effected in the Neighbourhood of Detroit on the Wabache & near Montreal The latter consisting of the Catholic Mohawks and a few Radonodacks are at present the only remains of this management in three Villages not very distant from each other there is upwards of six hundred Warriors.

In the present situation of things this Province is much exposed to any sudden attack of the Americans particularly should they commence hostilities at a season when assistance could not be readily obtained from Europe and to keep up constantly a Military Establishment adequate to the defence of so extensive a Province the expense would be enormous.

To remedy this inconvenience a Military Settlement might be formed on some Townships of the Crown lands, composed of a few thousand Veterans, who would receive their lands on condition of holding themselves in readiness at the call of Government to serve in Defence of the Country Although as strangers they might at first find difficulties in settling a country so different from their own yet with a little well administered assistance at the commencement and giving proper encouragement to some loyal Americans to mix with them they might soon obtain a comfortable living

Such a well disciplined Militia together with our Tribes. & the loyal part of the Militia of the Province might form a sufficient Army of defence for any sudden emergency

J H C

Early in the year 1808 the Public School for the District of Niagara otherwise sometimes known as the Niagara Grammar School in accordance with the terms of the public school act of 1807 was established in the town of Niagara The trustees nominated by the Lieutenant Governor were Hon Robert Hamilton Thomas Clark William Dickson Robert Kerr Thomas Cummings James Muirhead and John Symington The Reverend John Burns, the resident minister of the Presbyterian churches in Niagara and Stamford was appointed teacher by them The sum of £100 was allotted from the provincial treasury toward the maintenance of each district school

From Robert Hamilton to William Halton

Queenston Aug 28 1808

Sir

The trustees for the public School at Niagara having rectified the Certificate for the Master's Salary I have now the honor to return that paper to you I have in their Name to request that you will have the Goodness to place it where it may be effecient

(Sundries U C 1808)

Having been exiled from France the distinguished General Moreau had lived quietly in the United States for several years. Popular rumour stated that in the event of a war with Great

Britain he would be offered the command of an army for the invasion of Canada This statement led to his unauthorized arrest while at Niagara after paying a visit to the falls

From Henry Procter to Colonel Aeneas Shaw

Fort George 15th September 1808

Sir

I have the honor to acknowledge your Letter of the 1st September which indisposition has prevented my doing sooner In answer I have to acquaint you for the information of His Excellency the Lieut Governor that the French General Moreau was neither apprehended nor liberated by me he arrived at the Inn at Newark on the Evening of the 27th Ultimo where he remained to the best of my information until the Morning of the 28th when I saw him and informed him that not having the Sanction of His Excellency the Lieut Governor he could not remain in the Province he then acquainted me of his intention to leave the Province immediately by the same route he had entered it which I understand he did without loss of time On my having asked him if he had any Passport he acquainted me that he had sent from Buffaloe to the Magistrate at Fort Erie to know if there was any objection to his entering the Province whose answer was that he knew of none. General Moreau I understand was apprehended and liberated by Colonel Clinch not having any Authority to interrogate him or others concerned I must beg leave to refer you to him for the particulars of the General's Apprehension &c

(Sundries U C 1808)

Captain Cowan whose death is recorded in the next letter had served in the Royal Navy for four years and afterwards commanded a ship for twenty eight years on Lake Erie in the provincial marine He was one of the members for the county of Essex in the fourth provincial parliament from 1804 until 1808 and owned a farm near Fort Erie where he operated for some time the international ferry to Black Rock

From Henry Procter to William Halton

Fort George
September 25 1808

Sir

I am sorry to inform you of the Death of David Cowan Esqr Commander of His Majesty's Snow Camden which occurred on the 24th Instant at Fort Erie

I beg leave to say that this is not the first Occasion I have had to regret the Want of medical skill at Fort Erie

(Sundries U C. 1808)

The supply of the troops in garrison and other military departments created a considerable demand for fresh provisions and flour which was usually supplied by local contractors.

FROM JOHN MCGILL TO FRANCIS GORE

York 15th October 1808

Sir

In obedience to your Excellency s order of the 16th August 1808 I have the honor to Report that I have agreed for a Supply of Fresh Beef which is to be furnished to the Troops and Military Departments in Upper Canada by the quarter during the undermentioned periods and at the prices stated after each Post vizt

Fort George—David Secord from 25th September to the 31st December 1808 at Two pence half penny pr pound and from 1st January to 24th March 1809 at three pence Halifax Currency pr pound

Chippawa & Fort Erie—Samuel Street Junr from 10th October to 31st December 1808 at One pound two shillings and six pence Halifax Currency for every One hundred pounds of Beef

(Sundries U C. 1808)

Another visit by the Lieut Governor to Niagara at the end of this month was briefly recorded in the *Upper Canada Gazette* of October 22

"On the 17th instant his Excellency the Lieut Governor and Major Halton sailed for Niagara in the *Toronto Yacht* It was His Excellency s intention to have gone there on Monday last He embarked for the purpose and received an honorary salute from the Garrison Excessive gales and a succession of head winds delayed his proceeding until Thursday morning

His return in the same ship on November 6 was subsequently reported

The great delay of the United States government in investigating the complaints of the proprietors of the boats which had been irregularly seized by the collector of Fort Niagara provoked another forcible petition from them probably prepared by the Hon John Richardson then a member of the Executive Council of Lower Canada

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of the Bath Captain General and Governor in Chief in and over the Province of Lower Canada Upper Canada Nova Scotia New Brunswick and their several dependencies Vice Admiral of the same General and Commander of all His Majesty's Forces in the said Provinces and their several dependencies and in the Island of Newfoundland &c &c &c

The Memorial of the Merchants of Montreal carrying on Trade to Michilimackinac and the Indian Country within the Territory of the United States.

Most respectfully Sheweth

That it is with great regret they find themselves under the necessity of again troubling your Excellency with their complaints against Officers of the Government of the United States but the necessity arises from the outrage committed and before complained of being still unredressed

That the subject may be fully before your Excellency without reference to their former Memorial they take the liberty of again stating the facts with such observations thereon as circumstances so extraordinary suggest

The case stands thus — The Company trading from Montreal under the Firm of the Michilimackinac Company who are Subjects of His Majesty dispatched early in May last from La Chine a number of Batteaux or Boats laden with Merchandise intended eventually for Trade to the Indian Country and which were ordered to proceed and were proceeding by the accustomed route (being that uniformly practised since the cession of the Posts by the Treaty of 1794) up the River Saint Lawrence and round the Lakes to the *Island of St Josephs* a British Post (without an idea of intermediate Trade) at which Post they were to be met by the Agents of the Company (who went up by the Ottawa River) and there to receive instructions respecting their ulterior destination a considerable time previous to the departure of those Boats a mission was sent to Washington under the Sanction of your Excellency to ascertain through His Majesty's Ministers there whether it was the intention of the American Government to continue to act upon the permanent part of the Treaty of 1794 as to the Admission of British Subjects to participate in the *Indian Trade within their Territory* or to consider it as at an end as upon such ascertainment the Agents of the Company at Saint Josephs were to regulate their further proceedings after the arrival of the said Boats at that British Post at the departure of these Boats from LaChine the answer from Washington was not received

The object of such ascertainment had no relation to the *navigation by the usual route round the Lakes* such being considered common right unquestionably secured by Treaty and foreign to that respecting Trade within American Territory Accordingly the Boats proceeded onwards in full faith and confidence that whatsoever might be the determination of the American Government respecting the said Indian Trade the common use of the waters along the internal communication dividing the two Countries would still be held sacred

Those Boats went forward as usual without interruption untill the 21st day of May last when the first division of them arrived at the entrance of Niagara River from Lake Ontario where there are *British* and *American Garrisons* nearly opposite to each other In the middle waters of that River or even nearer to the *former* than the *latter Garrison* the Boats were fired upon with Musket Ball by a party of Soldiers in a Boat dispatched from the American Fort when Two with their Cargoes were forcibly seized and carried back to the American Garrison and three got over the British side after the Crews had narrowly escaped death for so near were they to the British side when fired upon and so marked the Hostility of the procedure that some of the Balls fired reached the Land on that side

Those who committed this outrage having learnt that other Boats belonging to the same Company were following along Lake Ontario a Boat with Soldiers was dispatched from the American Fort to intercept them and succeeded in forcibly seizing six more in the open Lake making in all Eight Boats the whole of which with their Cargoes have been since unjustly detained in direct violation of the Treaty of 1794 and to the great injury and heavy loss of the same Michilimackinac Company

Not satisfied with this signal outrage upon the Stipulations of that Treaty an American Boat with Soldiers proceeded to a much greater distance along the Lake to seize also nine other Boats still further behind and actually pursued them above Thirty miles but in that superlatively aggravated intention they were happily foiled as those Nine boats had received intimation of what had passed by one dispatched from the British side which occasioned their return to Kingston from whence they proceeded round by the North side of Lake Ontario after a great number of the Men had in consequence of this violent attack deserted who were replaced by others hired and sent up from Montreal at a heavy expense

Application in consequence of the Outrage and Seizure was under the Sanction of your Excellency made by His

Majesty's Ministers to the Government of the United States for reparation and an order thereon was issued by the Secretary of the American Treasury to restore the Boats and property so seized but upon condition of giving Bond in double the value to abide by the decision of the American Courts and requiring other preliminaries which could not be agreed to by the Memorialists without acknowledging American Jurisdiction in a question foreign to it and thereby abandoning the strong ground whereon they stand as British Subjects pursuing their lawful business under common rights of free Navigation solemnly secured by the Treaty of 1794 (whereby the Post of Niagara from whence the said Outrage was committed was delivered up to the States) and especially the Third Article of that Treaty

Their property therefore remains detained in custody of the Customs House Officer of the United States at Niagara upon the pretext of awaiting a decision in their Courts to the Competency of which the Memorialists object and maintain that the question is alone determinable by the Government of the Two Countries as involving matter of serious National insult as well as infringement of private British rights founded upon National compact

In support of this view of the subject the Memorialists have to observe to your Excellency that by the 3d permanent Article of the Treaty of 1794 His Majesty's subjects and the Citizens of the United States have common and equal rights to the free navigation of the waters where the seizure was made which being the result of a joint stipulation no impediment to such free navigation can be legally interposed by any Legislative Act or proceeding of any Officer of One of the contracting parties, to affect the rights of the subjects of the other party without the previous consent of their Sovereign Upon this principle the Michilimackinac Company contend that neither the American Embargo non Importation, or any other act of the States can govern the present case or controul or regulate the rights of Navigation stipulated by the said Treaty

That the requirement of British Boats when coasting the Lakes from One British Post to another to report or make entry at American Custom Houses (when there is no intention of Trade) would amount to a controul regulation and impediment of the Lake Navigation to the destruction of its freedom and wholly foreign to the intention of the contracting parties as will be seen by reference to the Treaty which Specially Stipulates for allowing regulation to the exercise of River Navigation in small vessels between Montreal and Quebec and for the free passage of goods across Portages, in order to prevent

Islands but authorizes no other regulation whatsoever Consequently if a Special provision was needful to authorize regulation in respect to such rights as were to be exercised within the Acknowledged exclusive Territory and jurisdiction of one party how much more necessary would special Stipulation have been to authorize either party by its separate act to regulate objects common to both such as particularly is the navigation of Waters dividing their respective Territories

The Memorialists have understood that the Custom House Officer who directed the seizure of the Boats pretends to justify himself upon the ground that the Boats could not have coasted the Lake without touching the Land although he neither had or could have a knowledge whether such was the fact but this is a mere subterfuge for the right of Lake Navigation common to both Nations necessarily implies its being exercised in a way practicable to the Vessel Navigating whether *Decked* or *Open* If the *former* she must sometime anchor when the wind is contrary and if the *latter* stop on the beach without any infringement in point of good faith when there is no purpose of trade or any object Stopping beyond the necessity of waiting for wind weather or daylight to resume the voyage

Such a quibble would render the object of the contracting parties a mere nullity and were a common highway the boundary between two adjoining Nations as well might it be agreed that the fair use of a resting place on either side occasionally to relieve a weary Traveller would be prohibited in the exercise of the right of free passage

The outrage complained of involves two distinct points of consideration One affecting the National dignity by the insult offered thereto in sight of a British Garrison and in waters of common right by the marked Hostility of firing upon His Majesty's Subjects when defenceless by Armed Soldiers of the United States The other an attack upon the rights and property of British Subjects whereby they have sustained great pecuniary loss and damage requiring indemnity

As to the first point the Memorialists consider that it would be presumptuous in them to suggest the quantum or kind of redress fit to be insisted upon Such remains with His Majesty's Ministers but they cannot avoid observing that it is not a little extraordinary that those who are so clamorous for general free Navigtion in cases authorized neither by the Law or practice of Nations should themselves so arrogantly violate the rights of free Lake Navigation when specially secured by a compact to which they are a party and that those who were so irritable in the case of the Chesapeak when a provocation not to be borne was previously given by them should so unfeelingly fir without any notice upon unarmed men who never afforded them even to shadow of pretence for so doing

As to the Second point Viz The heavy loss and damage sustained by the seizure of their property a Statement of which is annexed the Memorialists intreat that your Excellency will be pleased to lay the same before His Majesty s Minister that a full pecuniary indemnity to them for the injury in all its consequences may be demanded and obtained from the Government of the United States.

Such cannot be less than £20 000 exclusive of the actual cost and charges of the goods and absolute disbursements in various ways made respecting the same making in the whole the sum of £26842 5 6 Sterling The said sum will be found moderate when it is considered that the value of the year s Outfit for the Trade exceeds £30 000 The plans for which were not only deranged by the Seizure of goods forming a necessary part of the assortment but the discouragement of the Partners Clerks and Men of the Concern who winter among the Indians has thereby been such as to create a despair of success and consequently will produce a diminution of exertion when they see so evident a proof of a plan to render it unavailing

The above however are not the only grievances respecting the United States of which the Memorialists have had to complain in common with other British Subjects within the American Territory for they have long suffered under the requirement of passes extortion in duties and vexations in various ways which the Treaty according to its fair intent and meaning does not authorise as what can be more evasive oppressive and preposterous than the American mode of exacting the duties on goods carried by British Subjects from Canada into the American Territory upon a *scale of calculation* that in its *principles* might in some cases subject them to the payment of nearly double duty and in no case on articles rated ad valorem does it amount to less than an eighth part more duty than is paid on the like articles by an American at an Atlantic Port

Surely such could never be the meaning of a Stipulation about duties made for the very purpose of assuming an equality in that respect to Indian Traders whether British or American wherever they might come into contact

The Memorialists have for some time seen progressing with extreme concern a systematic plan to drive the British Indian Traders from the American Territory by every species of vexation and they must soon succeed if His Majesty s Government does not take up their cause with decision for it was with feelings of a very unpleasant kind that they found the

Negociators with America appointed under the late Ministry postpone the discussion of their grievances (although fully represented) to an indefinite period without any Stipulation for the cessation of those fiscal extortions under which they were and are in the meantime suffering

The Memorialists therefore take the liberty of impressing upon your Excellency's attention for the information of His Majesty's Ministers the following consideration That the Indian Trade within the American limits must speedily be abandoned by British Subjects if not protected against interruptions of free Navigation of the Lakes Fiscal extortions and various vexations That if once abandoned it can never be regained and with its abandonment will finish British influence with the Indian Nations residing without the limits of Canada That British Traders have materially aided in preserving that influence hitherto the conviction of which is the strong motive with the American Government for wishing by every means they can devise to exclude such Traders

If therefore the minds of His Majesty's Ministers shall be made up to the loss of that portion of Indian Trade carried on within the American Territory (which indeed is nearly the whole excepting the North West) and to the extinction of influence among the Indian Tribes as above said then in such case it will only be necessary to obtain reimbursement to British Traders of past fiscal extortions and indemnity for the losses and damages consequent upon the late seizure of the property of the Michilimackinac Company as also a consideration for the abandonment of their establishment in the Indian Country But if His Majesty's Government shall consider such Trade and influence as fit to be preserved that can only be done by obtaining reimbursement and indemnity forthwith in respect to the past and assurance of exemption for impositions and vexations in future. And further the Memorialists are of opinion that if British Traders do not obtain the right of going to the West side of the Mississippi to trade as heretofore (the exclusion from which the Americans are now about rigidly enforcing upon pretext of that Country not being comprehended in the Treaty of 1794) they must in any event soon abandon the Trade to the east of the Mississippi as an object not worth pursuing

The Memorialists consider it proper to add that they are able to substantiate the various facts herein set forth They therefore most respectfully entreat Your Excellency to lay their complaints and observations before His Majesty's Ministers that such measures may be adopted as in their wisdom shall seem meet for obtaining the needful redress in the premises and they were ever pray &c

Montreal 20th October 1808

Forsyth Richardson & Co
M Tavish McGillivray & Co
James & And McGill & Co
Parker Gerrard Ogilvy & Co

— Estimate of the Loading of Eight Batteaux or Boats the property of the Michilimackinac Company seized on the Waters of Lake Ontario and in the Entrance of Niagara River by John Lees Collector of the American Custom of the Port of Niagara on the 21st May 1808 with the various Expences and Damages incurred in consequence of said Seizure

Prime Cost and Charges at Montreal of the goods	5218 11 5
The Expence of these Boats including Men's wages, provisions &c	828 6
Expences incurred by desertion of Men in consequence of the seizure Mens Wages to replace the Deserters provisions	570 13 7
Expences incurred by Messrs. Michaela & Nichola on their mission to Washington & Mr Bleakleys to Niagara	225
Injury sustained by the Seizure in derangement of the Trade &c &c Our Business was at a Stand for a considerable time not knowing whether the rest of the Boats might not meet the same fate the progress of our Affairs was thereby arrested at St Joseph and the whole of our Goods to make out our Outfit eventually disassorted which were in consequence made very deficient and incomplete more particularly with respect to Guns Gunpowder and Blankets Articles indispensable in our Trade from this circumstance results many doubts in the minds of the people in general and particularly the Indians with respect to our rights within the American Jurisdiction which threw a damp on our Credit in the Country and may lead to the most injurious consequences	20 000
Sterling	£26 842 5 4

Montreal 20th October 1808

Forsyth Richardson & Co.
M Tavish McGillivray & Co.
James & And McGill & Co
Parker Gerrard Ogilvy & Co

(Endorsed —

Memorial of Merchants at Montreal 1808)

It was accompanied by the following letter addressed to the governor general's private secretary

Montreal 15th December 1808

Dear Sir —

The propositions before Congress for non intercourse will if carried into a Law so seriously affect the interests of the Michilimackinac company who have a very large property now within the American Territory in the Indian Country and the nature of *whose Trade* requires expensive preparations to be made during the winter for *that* of next season that it is of essential importance to them to ascertain with as little delay as possible whether the non intercourse is intended to do away the permanent part of the Treaty of 1794 or if there is to be a special exception in regard to the Indian Trade carried on by British Subjects from Canada as was the case in the existing non importation and embargo Acts —

I am therefore directed by that Company to request you will have the goodness to communicate to His Excellency the Governor in Chief their intentions of sending to Washington a person with a Letter to His Majesty's Minister there for the purpose of soliciting his aid to ascertain the intended operation upon Indian Trade from Canada of the said propositions

They most respectfully entreat His Excellency that he will be pleased to recommend to Mr Erskine the obtaining the information in question as involving momentous consequences to the property and interests of many British Subjects

The person intended to be sent to Washington will remain for Mr Erskine's answer and will be one in whom every confidence may be reposed as to safe delivery of any despatch which His Excellency the Governor in Chief may see fit to send as also to bring safely back any dispatch which may be confided to him but will not possess sufficient understanding to be entrusted with personal communications being only a faithful servant who is acquainted with the route and mode of travelling in the States

He will pass through New York and could leave with His Majesty's Consul there any dispatches or letters intended for England by the Packet —

I have therefore very respectfully to request His Excellency that such dispatches as he may be pleased to send for that conveyance be transmitted to me as early as his convenience will allow of —

I am with respect and regard
Dear Sir
Your most Obedient and Humble
Servant

JOHN RICHARDSON on behalf
of the Michilimac Co.

Herman W Ryland Esquire
Endorsed
15th Dec 1808

From Mr Richardson

The writer of the following letter was for many years one of the principal merchants of Niagara and its first post master a justice of the peace and commissioner of highways

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 29 Decr 1808

Dear Sir —

It is rumoured here that Government are about to dispose of the Land at the sixteen Mile Creek in this District (containing the salt springs) upon certain terms

Being at present out of business and of a disposition for exploring I am vain enough to imagine that in the possession of them they would be of greater benefit to the public than they are at present

At the same time far be it that I should in the most remote degree Aim at the rights of others.

A Line from you on the above subject will greatly oblige

(Sundries U C. 1808)

James Crooks was another energetic merchant who was one of the first if not the very first of the persons who shipped flour to Lower Canada He had lately married Jane eldest daughter of Thomas Cummings of Chippawa who was engaged in the same business The right of developing water power above Niagara Falls had been the subject of many previous applications

FROM JAMES CROOKS TO WILLIAM HALTON

Niagara 16th March 1809

Sir

When at York a short time ago I had the honor of sub mitting to the consideration of His Excellency the Lieut Governor the Petition which I now beg leave to inclose the prayer of which is to solicit a Grant of some small Islands in the River Niagara nearly Opposite to the Bridgewater Mills with the view to the erection of similar ones and other Machinery of which this flourishing part of the Province placed under His Excellency's care stands greatly in need of —

I owe an apology for obtruding again upon His Excellency's most precious time after the answer he was pleased to make that he could not Grant Islands but the importance of the Application as well to myself as to the Country impels me in the hope that His Excellency viewing it in relation to the latter may be pleased to point out the channel thro which application should be made And by giving his sanction promote it

Should his Excellency be pleased to give to this application any of his attention you will by communicating confer a favor on

Sir

Your most Obedient &c

JAS CROOKS

(Sundries U C 1809)

John Warren who had entered the army as a drummer boy had been assistant commissary general at Fort Erie for about thirty years and when it was created a port of entry he was appointed collector of customs and inspector of flour and pot and pearl ashes He retained the former office until his death He was named as a magistrate in the first commission of the peace and commanded the third regiment of Lincoln militia for many years

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FROM JOHN WARREN TO WILLIAM HALTON

Fort Erie 6th April 1809

Sir

His Excellency the late Lieutenant Governor was pleased to grant me the appointment of Inspector of Flour and Pot and Pearl Ashes for the District of Niagara my advanced Age renders me incompetent to the Duty I therefore beg leave to submit to His Excellency Lieutenant Governor Gore the propriety of my resigning said appointment humbly requesting his permission to do so It is not for me to presume to recommend any Person for the appointment, yet I humbly beg leave to say I do not know any Person more fit than Mr John Muirhead of Chippawa nor should I even have attempted to mention him were it not that His Excellency's goodness might induce him to think that I might wish it for one of my Sons, which I realy do not nor would the appointment suit them —

(Sundries U C 1809)

The imposition of fine upon indigent offenders some times was attended by awkward consequences and required the intervention of the magistrates to obtain a remission of the sentence

PETITION OF MAGISTRATES OF NIAGARA

To His Excellency Francis Gore Esquire Lieutenant Governor of the Province of Upper Canada &c. &c &c

The Respectful representation of the undersigned being Justices of the Peace in and for the district of Niagara

Humbly Sheweth

That at the last General Quarter Sessions of the Peace held at Niagara in the month of April now last past certain men named John Shaw James Conway Elisha Bundy Cornelius Barns J V Lambert James Harris and William Ingram were indicted and convicted of an Assault and false imprisonment on the person of one Zach Harvey a Citizen of the United States

That the judgment of the Court was that each of them should pay a fine to the King of Ten Pounds Currency besides an Imprisonment of two months in the Common Gaol

That the term of their Imprisonment is nearly expired but they are totally incompetent to pay the respective fines imposed upon them and that without Your Excellency's benign interposition they must suffer a perpetual imprisonment

The Justices aforesaid have further to represent to your Excellency that from Circumstances that have since come to their knowledge had these been known at the time the Fines would not have been imposed or at least greatly lessened —

Wherefore the undersigned Justices respectfully request your Excellency would remit the aforesaid Fines as Imposed on each —

SAML STREET J P
ROBERT KERR J P
ROBT ADDISON J P
THOMAS DICKSON J P
J BALL J P
THOMAS CLARK J P
J MUIRHEAD J P
JOHN BALL J P

Niagara 5th June 1809

(Sundries U C 1809)

Since the organization of the province a considerable num ber of Mennonists and Tunkers, mainly Germans from Pennsylvania had come in and settled, for whose encouragement an act had been passed in 1793 by the provincial parliament exempting them from service in the militia on certain conditions. Their sons were now becoming liable to enrollment on attaining the age of sixteen.

THE PETITION OF MENNONISTS AND TUNKERS

To the Honorable the Speaker and Members of the House of Commons of Upper Canada, in Parliament assembled:

The Petition of the Society of people called Mennonists and Tunkers,

Humbley Sheweth

That by an Act of the Province, passed in the thirty third year of His Majesty's reign, Your Petitioners, after producing a certificate from three or four respectable people, one of whom must be a preacher in the Society to which they belong, shall pay in time of peace Four Dollars a year, and in time of invasion or insurrection Twenty Dollars a year, for which favorable law and liberty of conscience we are thankful to God and the Government under which we live. And whereas many of Our Sons now under age and incapable of judging in matters of conscience, are not as yet actually considered as Church members, and cannot of course secure the necessary certificates, we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves, that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty one, or until they be admitted as Church Members.

And your Petitioners further pray that your Honorable Body will take into your consideration the many difficulties which poor people with large families have to labour under in new settlements, and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners, as in duty bound, shall ever pray.

This petition, which was read in the Legislative Assembly on the 10th February, 1810, was signed by two preachers, two elders, and thirty five members of the Society of Mennonists and Tunkers, who had become numerous in several townships of the Niagara district. Another petition to the same effect read the same day bore thirty four signatures, mostly in German script. An act was accordingly passed during the session for the relief of minors of the Societies of Mennonists and Tunkers.

The discontent existing among the Six Nations is shown in the following report from a veteran interpreter frequently known by the name of St John who had removed from the mouth of the Humber river to Ancaster where he had built a flour mill and in subsequent minutes of a council held with them.

FROM J B ROUSSEAU TO WILLIAM CLAUS

Ancaster March 1st 1809

Sir

I have taken the earliest opportunity to transmit to you (John Fraser) an exact Translation of a speech made in Council by the Six Nations of the Grand River held at the Onondaga Village relative to their land Affairs as well as respecting the White Settlers on the said River and within its vicinity — I met them in Council pursuant to your desire and also their request

They have proposed to send you their resolves made in Council in Writing (which is according to a report made to me by John Fraser) but should it not come to hand in due time you can depend upon the reality of the inclosed. Why I say so is because I have understood that since I left them they have either Added or altered their Minds in some respect

During the time of the foregoing part of the Council Harahogah and ten other others of the tribe (of Mohawks) including Doctor Aaron seemed to agree to the resolutions of their Brethren excepting when it came to the determination of Mr Jones's land which did not appear consonant to his & their opinion and in some consequence thereof they left the Council before the issue of the business was closed. The different Nations met in Council were the following — Onondagas. Senecas — Lower Kayugas — and the great part of the upper Kayugas excepting the little Chief Kachanion — Tuskarorias — Oquagas — excepting Joseph and the Oneidas — A Tuskarora Indian has lately arrived from the United States and used his influence among them exorting them to leave off the use of spirituous liquors, his prevalence has had the desired effect for the present — how long they will remain in sobriety will be better known hereafter. They have not appointed a number sufficient to transact their business which was according to request last fall but instead of following your desire have only nominated a few — which will more fully appear at their arrival at Fort George — with the translation of their Speech — for which purpose they are merely nominated to deliver the speech to you — its probable I shall be down about the time that the Indians deliver you their speech & if any difficulty should take place perhaps it may be in my power to explain it. The two Horons was detained at the Council place about one Day

I am Sir &c

J B ROUSSEAU

Wm Claus Esqr
Dy Supt General
Indian Affairs &c.

P S I attended Council for the space of five Days before their business came to a determination

(Claus Papers Vol 9 pp 259 260)

PROCEEDINGS OF A COUNCIL WITH THE SIX NATIONS

At a meeting held at Fort George — Council House — Friday 10th March 1809 — with the Chiefs and Warriors of the 6 Nations at the Gd River

After the D S G returned their Message (4 Strings of Wampum) & saluted them Old Paterson a Mohawk got up & spoke as follows.

Brother

I salute you in the Name of all the Nations from our place & desire you to listen to me you have many branches of business to attend but we have something now to communicate to you that comes from the bottom of our Hearts

When any business is to be done the Chiefs first assemble & consult & when the Chiefs find it of such a Nature that they can not settle it it is referred to the Warriors & should they not agree the Women take it up these customs are well known to you

Brother

When we first got acquainted with White people we had a person Peter to instruct us in our business after this Man your gd father Sir W Johnson came in his place he was our friend and when he gave us anything to drink he always told us to take it off from that Name he was very kind to us & never let us want he gave us every thing in good humour he got acquainted with our customs & manners & told us he thought he would put us in a better way of doing our business his advice to us was to listen always to our Father the English King but that if we attended to the french that we would fall we saw his words were strong & told him we will attend to them it is a strait road & we shall certainly follow it & that we would always have some young men on the watch & if any

danger appeared he should know it & he promised to do the same by us & cautioned us against the white people who were making Settlements on the River & held us strong by the hand that none might break us loose from the King & said our Arms should be hung with silver that it might not take rust now

Brother

I have explained to you the whole of the early proceeding between your forefather & us it is our firm desire that we should walk in the same road all the Chiefs here present remember those transactions & we remember he gave us every assistance when we were disturbed on the River he used all his influence to keep us united & we hope his gd Son will do the same for us— we still remember that when he laid down his head that we would have some difficulty

Brother

the bad Birds still fly about to you & us We bury this & not listen to them

Old Clear Sky then addressed the Chiefs & Warriors & said after they consulted together on public business they according to their old custom communicated the result to the Kings fire & that our young Chief Blank will speak & we desire the Supt to listen

——spoke

Brother

You who have the charge of our affairs listen to us I speak as the Six Nations what I say now is their words and sentiments therefore listen attentively — we did not finish our business at the long House but have since here

Brother

The people our Brethren on the other side (Bufaloe Creek) have given up their claim to the Genl Council fire & it is kindled at the Gd River at the Onondaga village — the last business done here was much to your satisfaction you expressed yourself so it was so to us it united us in a great measure therefore it must have been gratifying to us but there still appears to us some difficulty which we will relate to you I am very sorry to inform you that notwithstanding all that the Chiefs have done that there is Something that affects us much & you also notwithstanding the Belt passed all round the Nations there is still something necessary —

Brethren (addressingt the Indns)

Listen to me when at the Head of the Lake last fall the business was defered untill we met at the Long house as there was something yet that was not right

Brother

You then strongly recommended to us to consult together at our Council fire & try our utmost to come together & let you know you requested us by Wampum to strengthen ourselves & be one & we came together & agreed upon our public concerns & wished to appoint 15 or 20 principal men to transact the business for the whole of the Nations on the Gd River for these purposes we have used our utmost endeavours, but have been so unfortunate as not to succeed I regret to say that you see two parties before you but do not look on us as the aggressors we are the Chiefs & great men one thing is the cause of our misfortune Land if that was removed we might perhaps come together I wish you to comprehend me it is not the large party that makes this difficulty — we have come to lay the business before you & request you to assist us we have laid the business before you & call on you for your help & we think you may be the means of doing every thing for us that we can wish & we have also made up our mind to keep our lands it never was the king's intention that we should part with them we do not want to throw them away what has been confirmed we have nothing more to say to & also some where there has been people settled for some time but there is others we wish to speak about those latter lands may be of some benefit to our rising generation

Brother

About 5 years ago we began to get some insight into our land business at the Council you held at the Grand River, at that time we came to an agreement that you should have the charge of our money we wish to have some Security for the property sold the King pays you & we wish you to continue the charge of our money & we request that the Governor would have the goodness to get us an acct of our money that is lodged in the Funds & the Interest arising therefrom Annually

Brother

We have been very foolish & parted with our lands, we have grown wiser the Land sold to Steadman it appears great difficultys have arisen if we can with justice we wish to have it returned to us

A tract of land on the Governor's road has been laid out as We are told for the payment of Surveys we know nothing about it & wish it to be withheld again there is another man at the head of the Chippewa (Canby) who has got land on the same road it will make us poor none of the Chiefs know any thing about either & lower down Mr Mallory has got a piece of land we know nothing about any of them A number of families who have settled on the road to Long Point (Mount pleasant) we receive no advantage whatever from them we wish that it may be leased for 20 years that we may get something for them & at the expiration to revert to us there is one man in particular And Nelles we wish your attention here also — The Lands for D Kon's child & Brant Johnson we wish to remain just as they were neither to strengthen nor to weaken them there are some people on Fairchild's Creek who are settled there without our knowledge that Land on the road from the Head of the Lake given to Capt Brant we wish confirmed to Mrs Brant

Brother

I now go down the River there are some there in the same Situation without our knowledge by the Delaware Village there is a Tract of Land for a Surveyor of 4800 acres, we do not know any thing about it we wish it to be thrown into our Lands again this is Mr Aron & the lower Kayugas doing by the advice of Mr Phelps It has been the wish of some to divide the Lands & the line to cross by Mount pleasant this we never would consent to for many reasons, it would in the first place make a final division among us & again as we are living in the Heart of our Father's Country we ought to be as one in case of any trouble that we might give him all our assistance in his troubles with his Enemies.

Brother

Here he repeated the speech delivered them by the Govr on his arrival in the Country

Brother

We now request you to make him acquainted with our wish & that we may have a Deed for our Lands that remain as the white people are constantly throwing it up to us that we have no Land

NOTE With a View that they should get a Deed that they may Rob you of your Land — Three Names were mentioned John Thomas Wm Nellis

Brother

We now come to the loss we have met with in our Mill being burnt we remember the Govr who died at Quebec sent a man to look for a good place to build a Mill for us when the old Mills were burnt. Some years ago but he heard that Capt Brant was going to build a mill & he stoped we now in the Name of all the people on the Gr River ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask of him to change the school master that we have as he will not attend to the Children & we wish to have a man to speak English

11th March the Chiefs assembled at the D S G s Quarters & after examining the plan of the Grand River & pointing out Several places that were occupied by people that they conceived had no right to settle on them finished by the Onondaga Chief laying his hand on a Spot of Land at the Mouth of Grand River & saying

Brother

The person who has been working for our benefit in our Land affairs for these 5 years we think we ought to give him something we therefore agree to let him have this Spot of Land at the Mouth of our River but we expect that he will always give us his advice & help us with our Lands and all other matters and where the Land is required he may be absent or Sick we expect that in that case he will find some body to do any thing that may be wanted by us

Fort George Council Room
March 13th 1809 Present

Col Procter Commanding
W Claus D S G.
Major Short 41st Regt
W Saunders Lt & Adjt 41st Regt
Alex Eager
Thos Barnard Ensign 41st Regt
David Price Benjn Fairchild
J B Rousseau Interpreters

Blind Paterson spoke

Brother

The Great Spirit has been pleased to let us meet this morning at Our Father s Council Fire to Speak in the presence of our Brothers the Officers of the Fort we return thanks to the Great Spirit & open your Ears that you may hear & and your Eyes that you may See

Brother

We met you here 3 days ago & talked over all our own old & early promises with our forefathers & yours & I will now repeat the Same in the presence of our Brethren the red Coats.

Here Paterson repeated what past on the 10th The young

Onondaga Chief then spoke

Brother

Listen we now have met to finish our business here we

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1 William Dickson

have told you before all that we have been about at our Council at the long house we have spoke about our Lands & now agree that the Surveyor (Jones) may have half of the Land at the Govt s Road (600 acres) but no more

We have many difficulties among our other white people that are settled on our Lands they steal our Hogs work our Horses & we can get no redress & when we speak to them they throw it in our faces that we have no land & the upper part of the River we are told is not ours but belongs to the Chippawas this is very hard & we hope you will assist us the Lawyer who helped us so long we wish to have confirmed to him the Land we give him at the Mouth of the River & for which we expect he will always give us his advice in Land business & help when those people rob us of our Cattle upon these terms we give him the Land & we expect that he will give us in writing that assurance and that the D S G & the Comdg Officer will sign it

Brother

We have something more to mention to you a Lawyer (Mr Borthwick) came to us some time ago & asked us for payment of a Note of hand this some of our Chiefs Lent their Names to for W K Smith & told us we had better pay him quietly that if we did not he would put us in Gaol this hurt us much now Brother we hope Mr Dickson will help us in these matters with your assistance —

Old Clear Sky

Chiefs & Warriors — It is customary among us when any person has any concern with us to give him a Name that we may know him the person whom we have given some Land to for doing Land business for him we call four Eyes — by which we shall after this know him

W Claus D S. G

(Claus Papers Vol 9 pp 263 279)

At the fall assizes a strong recommendation to mercy was made by the petit jury for one of the early settlers of Stamford who had been convicted of some unnamed offence It was supported by a petition signed by a number of the leading magistrates and many other respectable residents

RECOMMENDATION OF THE PETIT JURY

The King
vs
Silverthorn

The Petit Jury in finding a Verdict in this case are governed

by the evidence before them but being all of them personally acquainted with the Prisoner and some of them from his youth to this time beg leave to state to the Court that his demeanour thro' life has been peaceable with this one exception — That he is an honest man and has by his industry and frugality acquired a handsome property — He has a large family who are deeply interested in his fate The Jurors therefore separating his general conduct from the substance of the evidence given against him in this case beg leave to recommend him to the mercy of the Court —

Niagara Septemr 29th
1809

S Street Jr
Abraham Bowman
Arch Thompson
Chas Willson
John Thompson
Ebenezer Skinner
Thos Cooper
Adam Bowman
Aaron Crane
John Knox
John Burch
Adam Hutt

(Endorsed in Pencil Pardon)

The Petition of Magistrates and Others

To His Excellency Francis Gore Esquire Lieutenant Governor of The Province of Upper Canada &c &c &c

The Petition of the undersigned Magistrates and Inhabitants of the District of Niagara

Humbly sheweth

That most of your Petitioners were present at the Trial and conviction of John Silverthorn of the Township of Stamford at the Court of Oyer and Terminer last holden for the said District of Niagara.

That they were impressed with sentiments that such Trial and conviction was had upon the strongest Evidence under the most humane and tender Charge from the presiding Judge and that the convicted had the most fair and impartial Trial

That your Petitioners feel that the solemnity of his Trial and the exposition by the Court of the existing Laws must have impressed upon every hearer the aggravated Crime of which he stands convicted and cannot fail as effectually to restrain the Commission of a like Offence as if the sentence of the Law was carried into execution

That the unhappy Object of this Petition is one of the earliest Inhabitants of this Colony and his Character and conduct precedent to the act for which he has been convicted has been such as to approve him a firm adherent to His Majesty's Government and induce a steady obedience to the Laws of his country

Therefore we his Majesty's most dutiful and loyal Subjects humbly beg leave to recommend to your Excellency the unhappy convict as an Object of His Majesty's regal mercy and compassion

J MUIRHEAD
ROBERT KERR
JOHN SYMINGTON
JAS CROOKS
S HATT
THOS. CUMMINGS
ROBT NICHOL
JOHN MCEWEN
WILLIAM MCKEAN
JOHN J LEFFERTY
ISAAC SWAYZE
WILLIAM J KERR
JOHN CLARK
JAMES SECORD
WILLIAM CHISHOLM
A CAMERON
GEO HAMILTON
THOS. CLARK
JOHN MCKERLIE
CALVIN BANISTER
WILLIAM ROBERTSON
JAMES RACEY
THOS MCCORMICK
WM GILKISON
JAMES COOPER
JOHN REILLY
BENJAMIN CORWIN
ADAM SPENCER
PETER WRIGHT
JONATHAN DOAN

WILL CROOKS
AMOS CHAPMAN
JAS COFFIN
JNO POWELL
T BUTLER
(Illegible)

J P BALL
JOHN BALL
RALFE CLENCH
(Illegible)
JOHN MUIRHEAD
JOHNSON BUTLER
ALEX STEWART

A letter from George Hamilton to Charles Askin dated at Queenston on the 19th December 1808 announced the serious illness of his father which eventually proved fatal and his fears of an unwise third marriage then apparently not improbable

I have but a Moments time to answer your kind letter of the 5th Instant which I only received yesterday — I can easily forgive you for not writing to me as it was as much my fault as yours I am sorry to say my Father has been confined to his bed for this Week past with a severe cold which settled in One of his knees & has given him such pain as to prevent him almost from sleeping or eating since — & Unfortunately to add to the evil the Doctors Mistook the complaint entirely were applying things that only made it worse however yesterday they found it out to be an Erisipulus or St Anthonys fire & have altered their plan the inflamation to day seems to have fallen into his ankle and I hope with a few more applications they will be able to drive it away entirely

I thought Lyons Marriage would surprise you and I agree with you that it was the best thing he could have done to add to his happiness he was a month ago blest with a fine thumping boy his very picture I have likewise to ask your congratulations on being advanced to the dignified station of an Uncle my Nephew is a fine little fellow & promises to be every bitt as crabbed as his father[1] — Your friends Mrs Conway & Smith have likewise been productive in the same way — Now for the Marriages James Crooks has been United to Miss Cummings[2] & William to One of the Miss Butlers[3] — Our friend Featherstons has also at last been favoured with the Husband of that fickle Nymph Miss Doane — that foolish fellow Gallipeace to a Child of 13 years Old & who has already twice left him at her Mothers instigation in order to draw Money from him to get her back — She has a third time gone off to Buffaloe Creek & the poor infatuated Devill has slipped after her with bag & baggage — you will say this is all very pleasant News but here follows some not quite so agreeable — & Will surprise you very Much Could you or anybody else ever conceive so unlikely a thing to happen as a Marriage between my Father & the Widow Forsythe[4] of all the weomen in the World but which I am afraid Will be the case — I had observed & was pleased to see that my father was fonder of visiting his friends in Niagara than usual thinking that the exercise would be of great Service to him & never suspecting the least what was going on untill it was whispered to me a fortnight ago that he was all this time busy in paying his addresses to the

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[1] This child was Robert Hamilton the third of that name, (1808 1868) son of the second Robert Hamilton

[2] James Crooks and Jane Cummings, daughter of Thomas Cummings of Chippawa were married on December 8

[3] William Crooks and Mary Butler were married on December 1

[4] The widow of George Forsyth a merchant and magistrate at Niagara who died in September 1806

Widow — & I have since drawn out from Peter[1] that she One day when Peter was comeing up took & locked him up in her Room & desired him to tell his father that it was a fine day to take a Ride & that the next week would be a good time to settle their business. he immediately after this Message sett off in the Chair his sore leg has intervened since that & she yesterday came up in One of the Worst days you ever saw to see him & remains here still notwithstanding I have gott both the Doctors to speak to her & to tell her how very indelicate & improper it was for her to remain here at this time All his friends you may believe feel very indignant at the Idea of such a Match & have I believe talked him pretty severely about it, but I am afraid too late to do any good — He has never Mentioned the business to any of us but if he does I will tell him what all his friends think of it whatever may be the consequences to myself as I cannot bear the idea of his making himself unhappy for ever without warning him of the consequences — I mention all this to you my Dear fellow as I know it will be as safe with you as with Myself — you Will take care in writing to me to inclose the letter to Wm [2] or Lyons[3] or anybody you may be writing to with directions to give to Myself — Your letter brought me the first news of your fathers accident & we were glad at the same time to hear of his recovery — My Father desires me to say that he cannot write at present but will by the first Oppy when he getts better — Pray have the goodness to answer this by the first Oppy that I may know it has come safe to hand — James has just come to take this down to the Post so I must conclude this long scrawl

(Askin Papers Dominion Archives)

A letter from William Robertson to Charles Askin written on the same day states that Robert Hamilton's condition was even then considered serious

Queenston Decr 19th 1808

Dear Charles

We are all happy to hear that your Father is so fast recovering the use of his arm — to a man of his years it was an unfortunate accident you ought not to allow him to go out in any carriage without one of you with him — his loss to the Family would be lamentable — I know well their affection to him

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[1] Peter Hunter Hamilton seventh son of Hon Robert Hamilton and half brother of George Hamilton [2] William Robertson a merchant at Queenston and a maternal half brother of George Hamilton. [3] Probably James Lyons, a clerk for Hon Robert Hamilton

He will be very sorry to know that our good Friend Mr Hamilton is at present rather in a dangerous way — being some days ago at Niagara he caught cold which settled in his knee — it is much swoln gives him acute pain and is attended with some Fever — I think the Doctors call it an Erisipelas — I was with him last Evening he gave me your Letter to read — enquired if you said anything of what you were doing — said he was afraid it was not much I have heard him before express his surprise at your not writing him on this Subject considering the Interest he took in your Wellfare you must certainly have been neglectfull if not worse.

With respect to your Memorandum left with me the following Letter from Jno. Warren jr will (in part) explain what has been done.

Fort Erie Octr 13th 1808

Your favor of the 6th Inst is now before me — Capt Chapin has not as yet delivered the Salt I shall soon make a 2d demand for the payment of his Note Agreable to your wish I have disposed of the Vessell and rigging to the Fellow who built her (Daylay) for eight bbls of Salt — all the rigging I could save is but little all the small ropes & running rigging was taken as well as all the Iron that could be come at before I had any command of her — I think she is tolerably well disposed of — If the Fellow comes forward as agreed on

(Signed) J WARREN

Mr Warren has just arrived — Chapin has gone down the Ohio and Daylay has not as yet performed his agreement

(Askin Papers Dominion Archives)

White pine on all Crown lands had been strictly reserved for the benefit of the Royal Navy and the Surveyor of Woods and Forests had been consequently instructed to report where such timber was to be found to prevent depredations.

From Major Christopher Hamilton to William Halton

Fort George 9th Novr (1809)

Sir/

I think it my duty to state to you for the information of His Excellency the Lt Governor that it has been reported to me that a Man of the name of Martin who is building a Vessel at the head of the Lake is cutting a quantity of White Pine

which I understand is reserved for the use of his Majesty
I have the Honor to be &c

C HAMILTON
Major 100th Regt Comg
Ft George.

(Sundries Upper Canada, 1809)

The sheriff of the Niagara District who was also Surveyor of Woods and Forests, was instructed to investigate and made the following report

Niagara 9th December 1809

Sir

I received your Letter of the 11th of November and in obedience to His Excellency's directions, went to the Head of the Lake and made the necessary enquiry I examined and found some Oak Timber in Possession of Mr Martin but of so little Consequence that I did not think it merited any attention there was no White Pine Cut on any reserve I informed him of the impropriety of Cutting timber on His Majesty's reserve without permission he said he was sorry for having cut the Oak timber but would Cut no more —

I have the Honor to be &c

THOS MERRITT

Wm Halton Esquire
York

(Sundries Upper Canada 1809)

A proclamation was published as a result of this and other information on the 29th December 1809 announcing that any Person cutting Timber on our Crown Lands ungranted or on our Crown and Clergy Reserves is guilty of a misdemeanor subject for a first offence to a fine of £20 or twelve months imprisonment for a second offence to a fine of £30 or imprisonment for eighteen months and for a third offence he shall be deemed guilty of a felony punishable by transportation for seven years All timber so cut was to be seized and sold for the benefit of the revenue.

A tattered and scarcely decipherable letter from George Hamilton to Charles Askin among the Askin Papers gives a further account of his father's declining health and damage caused by an astonishing ice-jam in the river

Queenston Jany 20th 1809

Dear Charley

I have this day received your short favour by the Mail

illegible Lyons swears the next time you play him such a slippery trick he will send you a role of Wrapping paper & let you pay the Postage & Squire William does not seem in much better humor Every body here felt sorry for poor Laughton that from his weakly appearance his friends did not expect to see him again We were not surprised to hear of the failure of the Detroit Bank fortunately nobody here has any of his Excellency's paper except the inclosed Bank Note 75 Dols which my Father has desired me to to tell you to make the most of[1] — Do not write anything particular to myself at present or if you do put it on a piece of paper by itself for the Devill would have it in spite of your precaution William Robertson unfortunately saw your letter inclosed in Lyons & Mentioned it to me before my Father of Course I had to get it to tell him the news When he asked me if there were any secrets in it I had to tell him there was which seemed to give him uneasiness for which I was very sorry as he is not well enough at present to be put out of humor tho a great deal better since my last by a constant application of Poultices they brought the matter to a head by making an incision have succeeded in draining a great deal of the (torn) humours out of it for this fortnight past but the knee is as much swelled as ever and gives him a great deal of pain when he attempts to put it to the ground which I can only account for by the constant cold applications for a fortnight without any effect may have occasioned to detention of the humors above the knee & has given the leg a Numbness Which I am afraid it will not soon recover however we must hope for the best The Doctors are not so much to blame as it was my Fathers earnest wish to dispell it if possible without making an issue in the leg but they should not have indulged a sick man so long in his own way when they saw it attended with no good. the Ladys business remains in Statu quo and except and except (sic) an occasional visit nothing I fancy will be decided on till he gets better your River is nothing in comparison with ours about 2 Weeks ago we had some very violent Winds from the S West which broke up the ice in Lake Erie & drove it down in such quantities that for 3 days you could hardly see the water for the ice when it was closed opposite our house it only took an hour to fill up solid to the black Rock with a Ridge in the Middle nearly upon a levell with the banks in 4 hours afterwards people were seen crossing over — the ice raised so very fast that we began immediately to take all the goods out of our lower stores & put them into our large one & 2 days ago it only wanted 3 feet of overflowing the bottom, it has completely up sett McCormicks[1] & has raised our little one almost on one end had not Mr Clark[2] taken the precaution to fill his half full of stones it would have gone like the rest as it is some thing racked & had the ice raised a little higher nothing could have saved it he has about £600 worth of Iron in the Lower Store which he could not get away in time both the stores on the other side of the River are swept away with about 400 bbls of Salt & some whisky & Pork for the American troops the wind is now again at S W with a Violent thaw & I hope it will take away the ice without any more damage Sutherland has returned from Scotland without bringing J Robertson[3] with him which he says was only owing to the Govt not allowing any person to leave the Country without 2 Weeks or a Month's application before hand poor fellow I hope that may be the only thing the matter with him but Sutherland like a blockhead left the letter in his trunk at Albany I have just learned that it has arrived on the other side — Our neighbor Phelps[4] Miss Hull & Robt Dickson[5] set off yesterday on a Jaunt to the States Phelps returns directly Miss Hull some time in April & R. Dickson goes to N York & is not certain whether he shall come back here or go to Montreal We have a Weekly Club every week for the purpose of reading the Papers, every One has a different paper & the person at whose house it is held takes care to send over the River & to Niagara for the Letters & papers after reading them we play at Cards till about 10 O Clock when we sit down to a good supper & generally contrive to end the Evening very Jovially — Its Mr Dicksons to day & Jack Warren is waiting for this — Dont you swear at me a little for making you pay the Postage for such long strings of Nonsense but you must only be revenged by sending me as long in return here we are all in very good health & Wishing you the same blessing I remain &c

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[1] Established in 1806. Augustus B. Woodward, chief justice of Michigan, was the president. General William Hull, governor of the territory, was a small stockholder. The names of Richard Pattinson and William Gilkinson of Sandwich also appear in the list of stockholders. Collections of the Pioneer Society of Michigan, Vol. VIII, p. 575

(Askin Papers, Dominion Archives)

The arrest of a band of forgers in March 1810 near Queenston caused considerable excitement and eventually much embarrassment to the magistrates This event was briefly described in a private letter from James Kerby then a clerk for

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[1] Thomas McCormick (1784 1867) a merchant at Queenston [2] Thomas Clark [3] His half brother John Robertson [4] Probably Elijah Phelps (1740 1843) an enterprising farmer in Stamford [5] A noted trader in the Northwest brother of Thomas Dickson of Queenston and William Dickson of Niagara and a kinsman of Hon Robert Hamilton

Thomas Clark to Charles Askin of Sandwich. "A few days since," he wrote, "we Queenston Volunteers cheerfully turned out to apprehend in our neighbourhood Seven d——n Stout Strapping Yankees (and would you believe that Mr. G. Drake is deeply in the plot) that have long been in the habit of Uttering forged bank Notes to a very great Amount —— knowing them to be such they are all separately confined in Gaol. We cant at present say how it will terminate — but with more proofs they will come under the jurisdiction of *hanging* — a bad fate."[1]

The discovery of an attempt to liberate the prisoners greatly alarmed the sheriff, Thomas Merritt, who made an urgent appeal to Samuel Street, chairman of the Quarter Sessions, for assistance on April 18:

"I conceive it to be my duty to represent through you to the Magistrates in Quarter Sessions that the Gaol of the District is Crowded with prisoners, many of whom are charged with the Crime of Forgery & that an attempt has already been Made by a Person apparently connected with them to introduce Clandestinely a file for the purpose no doubt of enabling them to escape.

It is well known to many of the Magistrates that the Gaol is very insecure. The Timber being in many parts decayed and as it is uncertain to what Extent the Confederacy of Forgers and Coiners may exist, it must be Obvious to the Bench that the Sheriff with his ordinary Means has not the Power to Effectually Guarding the prisoners — It is consequently become necessary to provide Additional Means for securing the County Gaol against all Attempts from without or within and at the same time by an immediate application to the proper Authority to procure a Commission for its immediate delivery.

The Bench will do me the Justice to believe that every Exertion in my Power shall be used to prevent the escape of any of the Prisoners under My Charge but I must press on the Minds of the Magistrates that with my present Means & in the present Situation of the Gaol I cannot be responsible for the safe keeping of the Prisoners."

An emergency meeting of the magistrates was held at Niagara next day and by their advice Mr. Street addressed a

letter to the Lieutenant Governor

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* This offence had become so frequent that at the session of the provincial parliament ending on March 12th, 1810, an Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange and Foreign Notes and Orders for the Payment of Money had been passed.

[1] Canadian Archives, Askin Papers, Vol. 16. [2] Ibid. Sundries Upper Canada, 1809.

– The Magistrates of this District in Sessions, taking into Consideration the very critical situation of the District Gaol as faithfully detailed in the accompanying representation from the Sheriff and the evil which would result to the Publick at large should the daring Gang of Depredators now Confined therein escape the Punishment due to their crimes have by their resolution Authorised me to apply to your Excellency for a special Commission of Oyer & Terminer for this District which I have now the honor to do

"The Sheriff has so fully detailed this business that I have nothing to add thereto, but to express my Conviction and that of my Brother Magistrates that unless a Commission does issue without delay the Prisoners will escape and the ends of Public Justice be thereby defeated [2]

It was not found expedient to grant this request but a military guard was detailed from the garrison to protect the gaol until the regular assizes when five of the men accused were convicted and sentenced After having undergone a part of the punishment the prisoners petitioned for a remission of the remainder Mr Justice Powell before whom they had been convicted, wrote on the subject from York on 21st March 1810 to William Halton secretary to the Lieutenant Governor

Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris were convicted at the last Niagara Assizes of a Conspiracy and sentenced to six Months Imprisonment from the 25th September last Pillory and a Fine of Twenty pounds each, Imprisonment until paid & Security in £100 each & £50 two Sureties for their good Behaviour for two years — They have represented to the Governor that from their inability to pay the fine their Punishment will be perpetual Imprisonment which would never be the Intent of the Sentence — His Excellency in communicating their Petition to me as Judge of Assize expressed an Inclination to remit that part of the Sentence which continues the Imprisonment until the fine is paid altho' in Complaisance to a foreign Government He declines remitting any part of the direct Punishments I therefore think His Excellency may desire to be informed that the direct Imprisonment ends on the 26th Instant

When the court of Quarter Sessions met nearly a month later the convicts were still in the gaol and their case came up for consideration The magistrates wished to get rid of them and Joseph Edwards who had succeeded Street as chairman was instructed to recommend their liberation He wrote from

Niagara accordingly on April 17 to Mr Halton

I am requested by the Magistrates in General Quarter Sessions to represent to His Excellency the Lieutenant Governor the situation of the four persons in the Gaol of this District under sentence for a misdemeanor in forging and uttering counterfeit foreign notes for the payment of money They have undergone the Punishment of standing in the Pillory and the term pronounced for their imprisonment is (some time since) elapsed paying their fines and finding security for their good behaviour are entirely out of their power and must operate as Imprisonment for life

As such they humbly intreat His Excellency to exercise the most amiable part of the King's perogative in granting them a free pardon for the remainder of the sentence This their request they beg leave to assure His Excellency is not on account of the burthensome expence (large as they have found it) that these Prisoners are to the District but to prevent any attempt they might make to break Gaol that (in their desperate case) the natural love of Liberty might incite them to. Especially since the Commandant at Fort George has found it necessary to request that the Guard might be withdrawn and which has taken place.

The method of accomplishing this remission of the sentence was referred to Justice Powell for his advice which he gave in a letter to Mr Halton on May 1

When I did myself the Honor to submit to His Excellency's Consideration the Case of the Convicts at Niagara sentenced for a Conspiracy to defraud by forged foreign bank notes it was to obviate the possibility of their sentence operating a perpetual Imprisonment in case of Inability to pay the fine imposed upon them

The mode of Relief which I took the liberty to suggest was to remit so much of the Sentence as directed Imprisonment untill the fine should be paid and security given for their good behaviour —— This may be done by a Charter of pardon not remitting the fine but all Imprisonment after the Six months of Punishment which will merely discharge them from Prison without releasing the fine —

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 17 April 1810

Sir

I am also requested to represent to His Excellency what

the Magistrates conceive an improper application of the Military reserve in front of the Town is the permission recently given of a Mr Staats presented (among others) by a Mr Spilman of his house thereby not only spoiling the view but by encouraging similar applications have the effect of shutting up the Town by a Range of Pickets They therefore humbly request His Excellency's interference in preventing the enclosure taking place

At this Session the Magistrates have approved of a plan of a Bridge of one Arch across the Grand River nigh the house of a Mr Staats. presented (among others) by a Mr Spilman the Estimate seven hundred and fifty pounds Messrs Harris T Clarke Addison and others have come forward as his Securities and so Soon as the bonds are compleated I presume an application will be made to his Excellency for the money voted by Parliament the remaining sum being made up by private Subscriptions

I have the honor to be &c

Jos. Edwards.
Chairman
Genl Qr Sessions
Niagara District

Major William Halton
&c &c. &c

(Sundries. Upper Canada 1810)

The recommendation of the magistrates for a remission of the remainder of the sentence passed upon the counterfeiters is shown to have been successful by the following order

Lieutenant Governor's Office
2nd May 1810

Sir

The Lieutenant Governor directs that you prepare a pardon to pass the Great Seal remitting the Imprisonment of Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris convicted at the last Niagara Assizes of a Conspiracy

I have the honor to be &c

Wm Halton Sy

The Attorney General

On the 26th of February 1811 Isaac Swayze no longer a member of the Legislative Assembly having been defeated at the previous election by Samuel Street again presented a petition asking reimbursement for his loss by robbery

To the Honorable the Commons House of Assembly of the Province of Upper Canada.

The Petition of Isaac Swayze, of Niagara, most humbly sheweth:

That Your Petitioner did heretofore humbly shew to Your Honorable House that a burglary had been committed upon his house on the night of the 28th of January, 1806, at which time he was robbed of the sum of One Hundred and Seventy eight Pounds Provincial currency, then in his possession, and received by him as Inspector of Licenses for the District of Niagara, for duties on Shop, Tavern, and Still Licenses issued 5th January, 1806, exclusive of private property and money received on account of the District of Niagara, and that Your Petitioner was at the same time very dangerously wounded.

Your Petitioner now begs leave to press upon your consideration the honorable testimony of such facts as were then adduced by him, on which your resolution of the fifth day of March, 1807, was founded, and humbly prays that Your Honorable House would be pleased to afford him that relief which in your wisdom you shall think the circumstances of his unfortunate case may require.

And Your Petitioner, as in duty bound, will ever pray.

ISAAC SWAYZE.

Crowell Willson of Crowland then moved, seconded by Allan McLean of Kingston, for leave to introduce a bill for the relief of Isaac Swayze, but the motion was lost.

The royal instructions to Lord Dorchester in 1791 had commanded him to direct the Surveyor General to report in all surveys made for settlement whether there were within such survey any lands fit for the production of hemp or flax. Ten years later, in compliance with a circular letter from the Colonial Secretary, General Hunter had requested the provincial parliament to give such encouragement as seemed necessary to stimulate the cultivation of "an object of the highest importance in Europe" at that time. An act was accordingly passed appropriating £250 for the purpose of purchasing and distributing hemp seed gratis among the farmers and £500 to be expended in premiums and bounties for the cultivation of hemp. The Lieutenant Governor was asked to appoint a Board to encourage the culture, dressing and exportation of hemp. Hon. John McGill and Hon. D. W. Smith were the first commissioners appointed, and in 1803 Hon. Thomas Scott, the Attorney General, was added to the number. In 1804 one thousand pounds were voted for the same purpose and James Baby Richard Cartwright Robert Hamilton and William Allan were appointed commissioners for the purchase of merchantable hemp at the rate of £40 Halifax currency per ton Thomas Talbot was added in 1809 and on the death of Robert Hamilton Joseph Edwards was appointed his successor Premiums were awarded by the London Society for the encouragement of Arts Manufactures and Commerce and a further grant was made by the provincial parliament in 1808

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 9 August 1810

Sir

As Commissioner for the purchase of Hemp I have lately been applied to by a Mr Staats of the Grand River to take from him a Ton Mr Richard Hatt having also informed me that he will shortly have some to deliver for Sale and having no public money for that purpose I am induced to apply through you to His Excellency the Lieutenant Governor for the price of two or three Tons and to request that the Warrant may be made to William Dickson Esquire who I have duly appointed as my Agent for that purpose

I have the honour to be &c

JOSEPH EDWARDS
Commissioner for the
purchasing of Hemp

William Halton Esq
York

(Sundries Upper Canada 1810)

William Claus's eldest son had obtained a commission in the regular army and had been ordered to join his regiment then stationed in Jamaica This led to some interesting correspondence with Lieut Colonel William Samuel Currey who had been military secretary to General Hunter and had been granted the maximum allowance of twelve hundred acres of land as a reward for his services which he wished to sell

FROM JAMES GREEN TO WILLIAM CLAUS

Quebec 5 July 1810

My Dear Claus —

In consequence of your letter of the 11th June delivered by Mr Crooke I immediately conveyed the 400 Acres in

Grimsby belonging to Lt Colo. Curry for which Mr Crooks paid me £150 — which Sum I remit by the Owen Glendower the 10th Instant to Doctor Corry agreeably to Lt Colo Curry's Instructions — the Conveyance could not be perfected when Mr Crooks was obliged to take his departure by the Steam boat but I afterwards delivered it to Capt Evans conformably to Mr Crooks's Instructions —

Lieut Governor & Mrs Gore have received every possible attention from Sir James Craig Since their arrival we have had nothing but feasting — dancing and the like — they came very opportunely to attend the Races to-day — General Brock gave a dinner to the two Governors to day and a Ball to as many Ladies as his room could conveniently contain — they danced in two rooms to the Band of the 8th Regt — which unquestionably is the best Military Band I ever saw both in point of Nombers & fine execution on their Instruments —

Capt Selby of the Owen Glendower gave a Superb dejenner on board his Ship the day before which was conducted in a Superior Stile — Lt Govr & Mrs. Gore were received with 13 Guns — Capt Selby is a most excellent Character — devoid of that Pomp you often meet with in Naval Characters—

To day the races begin — dinner at the Bishops — Play in the Evening — To morrow races — dinner at the Chateau to a Nomber of Ladies and Gentlemen — and Race Ball at the Hotel in the Evening — Races again on Fryday and Saturday — on Sunday I presome the Governor will return in order to transact some indispensable business in his Province

Governor Gore has been very attentive to me he favors me with a long visit every morning at the Office — he called on me an hour after his arrival with Colo Kempt

Adieu my dear Sir Accept best wishes for yourself Mrs Claus & your family from me and mine & believe me to be

Ever yours

JAMES GREEN

(Claus Papers, Vol 10 pp 9 10)

FROM WILLIAM CLAUS TO LIEUT COLONEL W S. CURRY

Niagara 16th Sept 1810

My Dr Curry

Your letter of the 26 Octr 1809 I had the pleasure to receive telling me of the safe arrival of my son William at

Jamaica I have seen by the *Gazette* of the 18th Novr 1809 that there was a mistake in Wm's appointment to the 54th Regt which I assure you Mrs Claus & myself most sincerely regret yet I flatter myself with the hope that your friendship will be the means of bringing the business to a happy end Should he be removed from under your friendly care that ease of mind which has prevailed in both Mrs Claus & myself since with you will vanish & be left in a constant state of anxiety Our only consolation if he is to be secured to an Ensigncy you will have it done

The French influence has reached the Lower Province Sir James Craig has five or six Canadian Lawyers Notaries & Members of The Assembly in Gaol (Bedard, Blanchett & Tacherean of Quebec) being detected in a Treasonable correspondence with the French Embassador at Washington — he dissolved the House again last Winter he acts with decision & does not trifle with them as did Lord D & Sir R Milnes

Your lands I have left nothing untried to dispose of — only 300 Acres I have got off & to receive 7/6 pr Acre in Cash on giving the deed but it will be some time before that can be done as Green will have to execute the Deed & to him I shall remitt the Money as soon as pd

Since your favor of the 26th Octr we have not heard from Jamaica We are at a loss for Wm's silence I should have been glad to have heard from him any particulars of his Voyage &c you will readily conceive untill we can hear from you better than I can describe — my boy Dan has been appointed to the 49th Regt now in this Country & still under the Command of our friend Genl Brock his Lt Col (Sheaffe) is at last married to Miss Coffin by next thursdays post Mrs Claus I believe intends writing to Wm —

God Bless you joined by Mrs Claus & all the family in wishes for your health & happiness — I remain your most faithfully

All hands send their Love to Wm

(Unsigned draft.)

(Claus Papers Vol 10 pp 1 3.)

FROM WILLIAM CLAUS TO LIEUT COLONEL CURRY

Niagara 17th Novr 1810

My Dr Curry

Just as I was stepping into my boat with three Characters well known to you Genl Brock Col Vincent and Capt Glegg of the 49th Regt on my way to York by the Head of the Lake I had the pleasure to receive yours of the 13 June With 3 such men I think I hear you say he must have had a pleasant time. Genl Brock remains with us in the Command of the Upper Province the other Gentlemen returned about 3 Weeks ago to the Lower Province — they came up with a number of other officers to sit a Genl Court Martial upon some men of the 100th Regt for desertion & Mutiny Very little was done after all their Troubles — one man flogged & one transported to Botany Bay

Green will have told you that he has received one Dollar & a half pr Acre for 400 of your Acres I assure you I sold them with reluctance but it is your desire that they are sold

We are going on nearly as usual Genl Brock being with us makes some difference he lives in the Govt House and often sees 10 or a dozen friends but unfortunately he is quite alone not an officer with him Harriot[1] who was his Major of Brigade is at Quebec with Genl De Rottenburg he ought to have kept Col Vincent or Glegg it would have been a happy thing for the latter as on his way down near Kingston in shooting a deer in the Water he unfortunately shot a man in the Bow of the boat a soldier of the Veterans

(Unsigned draft)

(Claus Papers Vol 10 pp 11 13)

Samuel Street and Thomas Clark who had obtained control of the Bridgewater Mills and desiring to extend their business, published a printed notice in the form of a handbill a copy of which has been preserved among the Askin Papers in the Dominion Archives.

CLARK & STREET's terms for exchanging Wheat stored at the Bridgewater and Falls Mills are

For three Bushels merchantable Wheat of 60 lbs each
112 lb fine Flour
49 lb Bran
4 lb ship stuff

For 5 and a half Bushels ditto
196 lb Superfine
70 lb Bran
8 lb Ship Stuff

3 shillings and 6d York for each Barrel furnished 6d per Barrell for packing and 6d more if nail'd and lined — Quality

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[1] Heriot

of Flour (if doubted) to be ascertained before taken away from the Mills

Should the Mills or Wheat Stores be destroyed by fire the subscribers are not to be accountable for any loss occasioned thereby

Clark & Street

Bridgewater November 7th 1810

Hugh Alexander who had come to Upper Canada as a Loyalist in 1782 after employment of many years as a clerk had commenced business as a merchant at Fort Erie Copies of many of his letters have been preserved and throw considerable on local commerce of the time

From Hugh Alexander to Thomas McCormick

Dear Sir

Agreeable to promise I have herewith given you a statement for which I will forward your goods at from Chip. next season to this place and from this to Chip. which I trust will meet your Approbation viz Salt 2/4 per bbl payable in salt at 30/ at Queenston free of duty or 2/ cash — the salt to be shipped as advised

Goods 1/3 per cwt to receive here and ship as above
Pork to receive here and forward to Chipewa 1/3
Flour to ditto and forward to Chip 1/
Pork & Whisky to receive here and forward to Chip 1/4
Potash do do do do 3/
or 2/6 if not Hard

The cash accounts payable at the close of the season — and the salt monthly if required

Fort Erie
Nov 6 1810

N B You will please observe the above prices are New York currency

From Hugh Alexander to Thomas Dickson

Dear Sir

Your kind favor of the 1st ult came to hand the 10th I should have answered your letter immediately but could not say to a certainty how many barrels I should have and also expected to be down before this time but the roads is at present very disagreeable you can depend on twenty barrels of pork which can be delivered in a very short time — I merely say this as you may wish to know the quantity on acct of your own contract I intend being down either the last of this week or the first of next as Mr Bilder is waiting for this

Fort Erie
Jan 7/11

FROM HUGH ALEXANDER TO CAPT B MARTIN

Fort Erie Feb 14th/11

Dear Sir

Yours of 21st ult came duly to hand on the 7th inst and hasten to inform you that in my opinion by all means start out for Buffalo as what property may be on board for this place can be brought from that without any interruption and should there be any probability? of making one or two trips from Black Rock to either Cayahoga or Erie the vessel will have it then in her power to perform the same — if not it is very easy to run over from Buffalo to this place I have not seen your father as yet however I dont hesitate in giving my opinion as above as it will undoubtedly be best for both shipping and owner because should she clear for this port and part of the property be for Buffalo the owner would then be deprived of getting it over The season as yet has not been very severe I am therefore inclined to hope that the ice will be out very early in the spring and I think there will be no time lost in coming down as soon as the lake weather &c will permit and unless you can get some rigging and repair done in trade — the vessel I think had better be brot down to repair either here or at Black Rock where the material can be got without paying cash immediately Dont by any means pay Cook any of his wages if there is any due him as he was in arrers with me when he went away I shall see your Father in a few days and will then inform him of what I have said to you and should we jointly agree to make any different arrangements I will then notify you accordingly

Capt B Martin

Detroit

Should you have an opportunity of getting some old rope or junk get it to make oakom as I should want some for my own and another vessel will also want some You will likely get the above for trade and cheap. Also get a small cadge and compass cheap and have the means to make payment without paying money

FROM HUGH ALEXANDER TO CAPT BUD MARTIN

F Erie Mar 12/11

D S

I wrote you the 14th in ans to yours of 21st Jany but fearful that it may be miscarried I shall now write you per Capt Rough to say that I wish you by all means to clear out for Buff as part of the property you have on board is I presume for that place which if you come to this side will not be allowed to be taken over but whatever may be on board for this place can be bro't over from there here without difficulty The weather at present is very fine and should it continue much longer I think the ice will be out by the 1 of April perhaps sooner In my last I mentioned that you had better gett a compass & small anchor perhaps 1 cwt and as there is several old vessels in that quarter perhaps you can get in trade or payable in salt next fall sails that would answer for a square sail and topsail and also get what old rope you can conveniently to make oakum as I shall want considerable this spring As your brother Anderson I presume will be with you if you and him can see a bargain in any of the above mentioned articles you had better take them and also should you see such spars as the Chip may want you may as well get them Should whisky be cheap in Detroit say 4/ 4/6 or even 5/ a gall if you have the means bring what you can with you In hopes that every caution will be used in getting down safe as soon as the Lake and weather will permit

Capt Bud Martin
Detroit

FROM HUGH ALEXANDER TO THOMAS DICKSON

Fort E Mar 16/11

D. Sr

Your very kind favor of 21st ult I received the same day on my way to Long Point and am very sorry to find that Mr McGill did not accept your offer However should you have an opportunity before I see you of selling 20 or 22 bbls pork provided you can get a fair price you are at liberty to draw on me for that quantity and pass the same to my credit If you can conveniently spare a barrel of spirit please let the bearer Mr Smith have it who will have an opportunity of sending it up immediately

Thos Dickson
Queenston

FROM HUGH ALEXANDER TO CAPT BUD MARTIN

Fort Erie Ap 9/1811

D S

I am most disappointed on acct your not having yet arrived as I have expected you here some time past as the weather is extremely fine However I have heard verbally that the Chip is detained on acct of the non importation act In that case Major Powell will do everything that can be done in behalf of the vessel and you will in that case be directed by him what measures to take and should you come under ballast from that port in this call at Long Point on Dr Crosby[1] for 1 corn on your way down and be as expeditious as possible as I have made contracts in this quarter which must be fulfilled

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FROM HUGH ALEXANDER TO ELIJAH PHELPS

Fort Erie Ap. 15/1811

D S.

I understand there is a quantity of salt laying at Chippewa marked T Brox & Co which is under your direction As I shall have boats taking down flour should you want to send it to this place and not under any engagements I should be happy to have the boating of it and would attend to whatever directions you should give respecting the shipping of the same at this place

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FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap. 24/1811

D S

I called at Manchester last evening to see you respecting the cordage yet wanted for the Chippewa but you was from home neither could I find Mr Coffin However I sent a memorandum for Mr Ben Hopkins which if you would have the goodness to furnish and leave to Black Rock to Mr Sell[2] with the amt which if you could conveniently make payable the 1st Oct would suit me much better than the time mentioned in your letter but should that be longer than you can wait you will make the time as favorable as possible you will then send cordage by first boat

Judge Porter
Manchester

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[1] Probably Dr Elakim Crosby who joined the enemy in 1813 see Papers and Records of the Ontario Historical Society XXVI p 494

Pay no attention to the former memoranda to Mr Smith as my information respecting that was incorrect

FROM HUGH ALEXANDER TO THOMAS CLARK & CO

Fort Erie Ap 29/1811
Messrs Thos. Clark & Co

Gentlemen

Yours of 19th I rec'd 23 The Chip is just discharged of 319 barrels marked P Cr O from Mr Nichol which will be forwarded to Chippewa as soon as possible I shall send the vessel once more to Long Point and the next trip to the Grand River for Mr Hatt's flour which I presume from your letter is ready If wind and weather will permit you may expect Mr Hatt's flour the last of next week or the first of the week after The Salina has also a load of flour from Long Point which will also be forwarded soon I have sent from this place 104 bbls flour marked H A for myself which you will have the goodness to forward to Messrs. Parker Gerard Ogilvie & Co. Montreal the first opportunity

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap 30/1811

Sir

Yours of 25th received 28th enclosing the bill of rigging which came to hand in good order I am extremely sorry that you was put to the trouble of making that part of the rigging that is not at present wanted if I recollect right I mentioned to your man that the memorandum left with Mr Coffin by Mr Smith was incorrect but that I should leave one with him that evening

However I find I am still deficient much which I shall trouble you again to furnish & forward to Black Rock as formerly

Say 1 cwt spun yarn
2 bunches of marlin.
30 fathoms 3 rope
2 lbs serving twine

To Judge Porter
Manchester

FROM HUGH ALEXANDER TO WILLIAM SOUTHERLAND

Fort Erie May 11/1811

Sir

Messrs Thomas Clark & Co. has wrote to me to say that

Saml Hatt Esqr has a quantity of flour at your place which he wants forwarded to Queenston I have therefore agreed with Mr Thomas Hickok[7] the bearer of this to bring the team to this place you will therefore deliver to him as much as he can conveniently take and Oblige

FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie May 13/1811

Sir

I am concerned in a small vessel (the Chippewa thirty six tons burthen British Bottom) which I would wish to engage in the salt business from this to your port if the laws now in force will allow the same May I therefore beg the favor of you to state to me as soon as convenient your opinion on that subject whether you think it advisable to send him to your port or not and you will very much oblige

FROM JONATHAN WALTON TO FRANCIS GORE

Schenectady 15 May 1811

Sir

As it may be agreeable for your Excellency to know that agents for many Respectfull families have called on me lately for the purpose of making arrangements to Remove into your province the ensuing Summer I think it my duty to give the information I shall continue my endeavours to faciliate as many good people into the province as I possibly can — having the wellfare of your Excellency's govermt at heart

I most sincerely congratulate your Excellency on the Glorious news of the success of the British arms in Portugal in driving the hauty foe out of that kingdom — with my sincere prayers that England may finally Tryumph over the Tyrant of Europe

I am &c

J WALTON

His Excellency Gov Gore

(Sundries Upper Canada 1811)

The writer of the foregoing letter was an officer in a loyalist regiment who had been retired upon half pay and had settled in Nova Scotia and afterwards undertook the settlement of the township of Hope in Upper Canada Eventually as he stated with General Simcoe's approval he established himself as a merchant in Schenectady and seems to have exerted him self zealously in promoting immigration to Upper Canada asserting that his situation there enabled him to promote the Settlement of that Country more than he could possibly do by *residing in Canada*[1]

Richard Hatt of Ancaster Samuel Street of Stamford and Joseph Edwards of Niagara had been appointed commissioners to supervise the expenditure of money granted by the provincial parliament for the improvement of the main roads in the Niagara District

FROM RICHARD HATT TO WILLIAM HALTON

Ancaster 21 May 1811

Sir

I received your Letter of the 17th Ulto acquainting me of the appointment which it has pleased His Excellency to honor me with and in order to carry the same into effect as soon as possible (being unable at this time to leave my family) I have taken the liberty to empower my Brother to receive such part of the money appropriated by the said Act as may more particularly fall under my immediate inspection to lay out that is from Vanderlip to A Westbrook's from Brady's Tavern thro Saltfleet to the Forty Mile Creek on the New Lake road and building a Bridge over the Outlet at Burlington Bay which is the arrangement lately made with the other Commissioners

I have the honor to be &c

Major W Halton RICHARD HATT

(Sundries Upper Canada 1811)

FROM HUGH ALEXANDER TO PARKER GERRARD OGILVIE & CO

Fort Erie May 23/1811

Gentlemen

Having some flour to send to Montreal this season and from an acquaintance I have had of you through Mr Nichol & others in this quarter I have taken the liberty of addressing it to you which if you will have the goodness to take charge of and if you have an opportunity of selling any part of it for nine dollars or upward please to sell it — if less I should rather have it housed till I go to Montreal myself which will be in July or first of August I shall also request the favor of you to write to me the correct prices of flour pork & potash as often as convenient and oblige

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[1] Papers and Records of Ontario Historical Society XXVI, p. 361

FROM HUGH ALEXANDER TO THOMAS CLARK & CO.

Fort Erie May 30 1811

Messrs Thos Clark & Co

Sirs

Yours of 16 instant received on the 22nd and have now the Biscuit ready say 3200 lbs the quantity of flour taken for the season is 18 barrels which you mentioned soon to be replaced at Queenston You will also pass £19 6 0 N Y Cur in my credit

The price for baking say 12/ per cwt you can either make the flour and forward it to Montreal with the rest or pass it in my credit as may be most convenient

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie June 4 1811

Messrs Clark and Street[7]

Dear Sir

Yours of 28th received the 3rd inst and will cheerfully account to you for the next balance that may be due Robt & Saml Martin for their respective shares in the Chippewa when and in such articles as may be collected for freight in said vessel at present I have nothing in my hands

FROM HUGH ALEXANDER TO PARKER, GERRARD OGILVIE & CO

Fort Erie June 10 1811

Messrs Parker Gerrard Ogilvie & Co

Gentlemen

I wrote you on the 23rd respecting some flour forwarded to your care which I requested not to be sold under nine dollars. However Mr Storrs[7] is going sooner to Montreal than I expected I have taken the liberty of drawing on you in favor of Messrs. Jabez Storr & Co. for twenty five pounds currency which you will please to honour

If you have not sold sufficient of the flour at the above rate you can sell to the best advantage enough to discharge the above draft, and the remainder if you think there is any possibility of its rising dont sell till you have further advice Please write me the quantity received in good order and what prospects are respecting the price and you will very much oblige

The annual return of the militia of the county of Lincoln dated 4th June 1811 showed that the 1st Lincoln commanded by Colonel Ralfe Clench consisted of one Colonel one Lieutenant Colonel one Major ten Captains ten Lieutenants ten Ensigns one Adjutant one Quartermaster thirty two Sergeants and 513 rank and file being a decrease of sixty rank and file since the last return The 2nd Lincoln commanded by Lieutenant Colonel Thomas Clark was composed of one Lieutenant Colonel one Major nine Captains Ten Lieutenants, ten Ensigns, one Adjutant one Quartermaster twenty three Sergeants, and 572 rank and file showing an increase of eighty six in the last description The return for the 3rd Lincoln commanded by Lieutenant Colonel John Warren was dated 1810 and showed a total strength of one Lieutenant Colonel one Major eight Captains six Lieutenants seven Ensigns one Adjutant one Quartermaster sixteen Sergeants and 350 rank and file The 4th Lincoln commanded by Lieutenant Colonel Johnson Butler numbered one Lieutenant Colonel one Major ten Captains eight Lieutenants nine Ensigns one Adjutant one Quartermaster twenty-seven Sergeants and 459 rank and file being an increase of fifty two The 5th Lincoln commanded by Lieutenant Colonel Andrew Bradt reported a strength of one Lieutenant Colonel one Major seven Captains ten Lieutenants eight Ensigns one Adjutant nineteen Sergeants and 404 rank and file being an increase of fifty seven

Three official letters from commanding officers have been preserved

FROM RALFE CLENCH TO THE HONORABLE AENEAS SHAW

Niagara June 8th 1811

Honble Sir

I enclose two Returns of the First Regiment of the County of Lincoln Militia No 1 Contains those from Sixteen to Sixty years of Age and No 2 those from Sixteen to Fifty only from this you'll see the small Number we have above Fifty

You'll also perceive by my Remarks the very few Absentees with the Character of most of them in Captain Crook's Company we have some respectable Americans a Mr Beldon a Worthy Man who has always declined bearing Arms, but upon all regular occasions transmits the Amount of his Fine as by Law imposed but of this description there are but few We have some others in the Regiment who are inclined and would if in their Power not only stop the Militia law being carried tion effect but the Wheels of Government also of this Democratic Class fortunately we have not many

A Lieutenant Robert Runchey a worthless troublesome Malcontent it is rumored that he intends Personally to wait on his Excellency the Lieutenant Governor and to request his acceptance of his resignation This I sincerely hope he may do and that his Excellency may be pleased to accept of the same as he is almost the only one I can term a Black Sheep in our Regiment and with whom the Officers I believe would gladly part

The Number of Private Men at present exceeds what by Law is allowed to each Company and yet we have not a sufficient Number to form another Regiment I would therefore beg leave to suggest the propriety of Forming Three or Four Independant Companies in the Township of Louth in which there are I dare say Men Sufficient This Township is now within the limit of the First Regiment which would still be sufficiently numerous. I am induced to make this suggestion from a difficulty that has occurred with some of our Justices where Companies have exceeded Fifty Private Men I could not obtain Judgment upon Summons for no other reason as was stated than that the Company in Number exceeds what the Law directed by which Defaulters have gone unpunished From the Strength of our Regiment you will see that there is no other remedy unless dividing the Regiment from the situation and Settlement of the Townships of Niagara and Grantham this would not be in my opinion so eligible as to Form Independant Companies in the Township of Louth

Should this suggestion meet his Excellency's approbation permit me to request your earliest intimation I shall then transmit a list of Persons proper to be Appointed officers

I have the Honor to be &c

RALFE CLENCH
Colonel 1st Regt Lincoln
Militia

Honorable Aeneas Shaw
Adjt General Militia
York.

(Sundries Upper Canada 1811.)

FROM ANDREW BRADT TO THE ADJUTANT GENERAL OF MILITIA

Barton 8 June 1811

Sir

I now enclose the General return of the 5th Regiment of Lincoln Militia at the same time I have to transmit you the resignation of several of the Officers of my Regiment & shall submit to you to lay before His Excellency the Lieutenant Governor the frivolous excuses made in order to get rid of the Service thinking by resigning they get cleared from all future Service —

CAPTAIN AUGUSTUS JONES resigns without any other excuse than that he does not like to get the illwill of his Neighbours by making them do their duties in the Militia

CAPTN JOHN LOTTRIDGE (the Son of Captn Robert Lottridge of the Indian department during the late war) resigns because he says he is so dull he cannot learn the Manual Exercise therefore cannot teach his Men

CAPTN JOHN CHAMBERS resigns because hes a very large family is rather a sickly man & is in very poor circumstances

LIEUT JOHN JONES is removed from the neighbourhood of my Regiment & is promoted to a Captns Commission in another

ISRAEL DAWDY refuses to serve as an Ensign as he had originally a Lieutenants Commission & had for a considerable time the charge of a Company & discharged the duty with great Credit to himself in that situation

ENSIGN A B BRADT has removed from the neighbourhood of my Regiment too far to attend his duty in it

If therefore His Excellency should approve the resignations & if so many persons should be exempt from Militia duty from it I shall beg leave to recommend that Lieut John Aikman — Lieut Israel Dawdy & Lieut Lewis Horning may succeed to the Companies vacated by the resignations & that Abel Land Senr William Wen & John Bradt be promoted to Lieuts also that Jacob Riemill Joseph House Joseph Burney George Rousseaux Samuel Green and Jacob Killman be recommended as Ensigns in my Regiment

I cannot conclude without observing that those whose friends & themselves have received the greatest encouragement & inducement to persevere in the good cause do not hold out the longest vide Augt Jones — & J Lottridge & at the same time I cannot but remark to you that Mr Abraham Markle & William Biggar both of Ancaster utterly refuse to train in the Militia & declare never will do more than pay their fines — that should we be called on actual Service we might not find support in many who have had great advantages from professions of Loyalty & suffering

I have the honor to be &c

Andw Bradt
Lieut Col

To the Adjutant General of
the Militia of Upper Canada

(Sundries Upper Canada 1811.)

From Thomas Clark to Aeneas Shaw

Queenston June 10th 1811

Sir

Herein I have the honor to inclose you a return of the 2nd Regiment of Lincoln Militia for the 4th inst which be pleased to transmit to his Excellency the Lieutenant Governor as the Law directs —

By this return you will perceive that there is a Captain wanting to one of the Companies — owing to Captain Warner having some time ago resigned from Old age — To fill up this vacancy I should recommend John Decow the oldest Lieutenant in the Regt and well adapted to supply the place of Capt Warner — Ensign Jacob J Ball to supply John Decow's place and Mr James Lyons to supply the place of Ensign Jacob J Ball —

I have the Honor to be &c

Thomas Clark Lieut Coll
2d Regt Lincoln Militia

Aeneas Shaw Esqr
Adjt Genl of the
Militia of Upper Canada

(Sundries, Upper Canada 1811.)

Considerable grants of land had been made by the first land board to officers of Butler's Rangers and the Indian Department three of whom had died on service and the other two had left the province Action was accordingly taken to cancel these allotments.

Executive Council Office

York, 14th June 1811

Public Notice is hereby given that the Locations designated by the Land Board of Nassau for the following Persons in the Township of Binbrook District of Niagara will be declared open for Grant to other Persons unless within Six Months from this date they severally appear by themselves or Agent to establish their Claim and sue out their Patents.

LIEUTENANT GEORGE HARKIMER
LIEUTENANT HENRY HARE
SURGEON'S MATE PATRICK BURK
LIEUTENANT FREDERICK DOCHSTEDER
CAPT JOHN MCKINNON

By Command of His Excellency
the Lieutenant Governor in Council

JOHN SMALL
Clk of the Executive Council

(Sundries, Upper Canada 1811)

The author of the next letter was deported as an alien enemy in 1812 and his book was published in the United States in the following year and rapidly ran through six editions

FROM MICHAEL SMITH TO WILLIAM HALTON

Niagara June 22d 1811

Worthy sir I hope you will not be offended at the liberty I have taken of writing to you — nothing but the information I have had of your disposition could have encouraged me thus — Worthy Sir it is through your means that I humbly wish to communicate to his Excellency our Governor my design of publishing a Geographical and Political view of the province of Upper Canada

My design in publishing this work is to give a general information of the goodness of this land and (sic) Laws. I would not wish to do anything that might be contrary to my Governor's wish I therefore would be very thankful if you would communicate the same to me through the hands of Mr Cameron Printer[1] — If his Excellency should wish to see the manuscript before the signification of his mind it shall be sent I do not count my self the Author tho I have assisted in the work and have copied the whole I am a native of the state of Pensyvania (sic) and came to Canada 18 months ago have taken the oath of Eligence percured a reserve lot of land have a small family and am a poor man I am Sir with humility your unworthy servant

MICHAEL SMITH

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[1] John Cameron then publisher of the York Gazette and Upper Canada Almanac see Scadding Toronto of Old pp 268 9 533

N B I now teach School 3 miles from Niagara

William Halton Esq
York

(Sundries Upper Canada 1811)

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie June 17 1811

Dear Sir

I must once more call on you for a small quantity of cordage yet wanted for the Chippewa viz
60 fathoms of six thread ratlin
120 do. of 15 thread do or perhaps 12 may answer
20 do 2½ inch rope
14 lbs spun yarn
which you will please send up to Black Rock by the first boat and oblige

FROM HUGH ALEXANDER TO JOHN MUIRHEAD[1]

Fort Erie June 19 1811

Dear Sir

Yours of the 15th inst inclosing your J W Miller rec d yesterday I now send by the boat ninety five barrels of flour belonging to Mr Nichol for government which agreeable to Mr Coffin s direction to Mr Warner he is to deliver six hundred bound for at Queenston and four hundred at this place the latter which is already delivered there for agreeable to that direction you as his agent at Chippewa will please ford to Queenston ninety five barrels flour together with our 150 barrels already at Chippewa which was forwarded to Mr James Cummings not knowing at that time what were to be delivered at that port Should Mr Nichol have given you any directions respecting the above flour himself you will of course be guided by the same or should you have any convenience of keeping the flour safe at Chippewa till we can have advice from Mr Nichol with respect to the forwarding of it to Queenston you can do as you think most advisable for Mr Nichol s interest I have also given directions for the boat to call for Messrs Clark & Street s flour at Mr Miller s

Mr John Muirhead
Chippewa

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[1] A merchant and collector of customs at Chippawa

FROM HUGH ALEXANDER TO WM H ALEXANDER

Fort Erie June 22 1811

Dear Uncle

Yours announcing the death of my brother David came duly to hand and I am very sorry to hear the news but we are all mortal and may be called upon when not as well prepared as I hope he was. He has now paid the debt which we all owe and is far from all the cares troubles and anxieties of this life

I have the pleasure to state that we all enjoy good health hoping that inestimable blessing attends you and family Ephraim is at present at Ancaster at the head of Lake Ontario but intends going to Long Point this summer to commence business with E. Crosby Esqr of that place and I hope will do well I should have wrote you immediately on the receipt of yours but have been anxiously both to hear from and see Mr McDougall respecting your business as I employed Ephraim who was down at the time I received your letter to call on him (he McDougall) he at last has come down and paid me 1150 pounds in cash and a note of hand for one hundred pounds N Y C payable Jan 1812 with interest from 14th inst against as good a man as we have in this country part of which I may perhaps get before I go to Montreal which I intend next month if weather permits perhaps about the 18th or 20th and will come home by your place at which time (should I get no safe opportunity to remit the money sooner) I shall give you whatever money I may have received from Mr McDougall's amount and as much of my own as I possibly can

Susan and William Dixon to be kindly remembered to you and Aunt Mary and all enquiring friends

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FROM HUGH ALEXANDER TO SAMUEL STREET

Fort Erie July 19 1811

Mr Samuel Street

Dear Sir

Mr Sent Martin[1] has this morning mentioned to me that fifty dollars was promised by him and his father to be paid in cash to you for money advanced by you to Judge Porter previous to their giving you their draft on me for the note due them. They therefore to make their promise good to account date you as far as lay in my power I have sent by Mr Sent Martin the above amt say fifty dollars which I hope will arrive safe I shall also inform you as soon as possible balance due them and when payable

---

[1] Should probably be Saint Martin

FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie Aug 2 1811

Dear Sir

Yours of the 30th I received yesterday Capt Dobbin has this morning come over and informs me that he has on board the Sal na betwixt them and you Hundred Packs and a few barrels potash and as he has some property aboard for Presqoile it will be out of his power to come over therefore requested to have them taken from the pier As the packs is all for this place they will be forwarded as soon as possible part will go to morrow With respect to the bales none of them got injured as it was only the ends of a few that got wet which soon dried by exposing them to the air in the store The boat is well man d and has now six good oil clothe However every possible care will be taken both with the goods and packs

The following letter from the Deputy Superintendent of Indian affairs shows the extreme tension caused by the menace of hostilities by the United States nearly a year before they began.

FROM WILLIAM CLAUS TO LIEUT COLONEL CURREY

Niagara 17th Augt 1811

My Dr Curry

I am sorry that I cannot tell you that I had disposed of a few more of your Arms Sales are at a stand just now but I will not lose sight of them they ought to sell & will from the situation it is becoming a thick settlement

Your friends in this part of the world are all well & joging on how long we will be allowed to remain in Peace & quietness God knows our neighbours appear much inclined to quarrel with us at least their Govt but they do not know what to do the Eastern States seem as much averse to the French as the Southern are in favour of them & I believe very powerful Tribes of Indians on the Waters of the Mississippi are by no means pleased with the treatment they receive from the Americans & their encroachments Another cause of dissatisfaction is their Trade being in great measure stop d by the Non inter

course I understand a deputation is gone to Washington from the Missouri on the Subject

The Death of Mr Hamilton has long been known to you his Second son George was lately married to Jarvis's Eldest daughter & the Second (Augusta) is shortly to follow her example & marry McCormick of Queenstown

Lt. Col Curry Comdg
54th Regt Jamaica

(Unsigned draft.)

(Claus Papers Vol 10 pp. 19-21.)

James Durand who had previously been major of the first regiment of Lincoln militia having removed to the township of Barton had been appointed a captain in the 5th Lincoln but soon became discontented with his commanding officer who had formerly served in Butler's Rangers and was perhaps not very courteous in his manner

FROM JAMES DURAND TO WILLIAM HALTON

Barton 5th September 1811

Sir

I have to request that you will be pleased to inform His Excellency Lieut Governor Gore that in consequence of what I thought was his wish when I last had the honor of an interview viz that if any did exist a direct charge should be brought forward by the Officers of the Fifth Batallion of Lincoln Militia against Lt Col A Bradt I have taken occasion to make his disposition known to some of the Gentlemen of that Regiment who heretofore had been very desirous of such an Opportunity they have however now declined coming forward

That His Excellency may be able to account for such a change of mind in those who so warmly desired the removal of Col Bradt I would take the liberty to suggest that it is extremely probable a general relaxation of Duty would upon inquiry be found to have pervaded the Regiment having its source perhaps in the example of the Colonel

I have the honor to remain &c

JAMES DURAND

To
Major Halton
Secretary to Lt Gov Gore

(Sundries Upper Canada 1811.)

In addition to his offices of post master, justice of the peace, and commissioner of roads, Joseph Edwards had been appointed a commissioner for the purchase of merchantable hemp made vacant by the death of Robert Hamilton. The letter which follows shows that a considerable quantity had been produced in the district.

FROM JOSEPH EDWARDS TO WILLIAM STAUNTON

Niagara 7th Septr 1811

Sir

As Commissioner for the purchase of hemp I had the honor to address his Excellency the Lieutenant Governor through Major Halton so long since as the Ninth of August 1810 stating that I had been applied to by two persons who had that article for Sale and requested that the warrant for the payment of two or three Tons might be made to William Dickson Esqr whom I had appointed as my agent to receive the same. To this Letter however no reply was made and I only learned from Mr Dickson that as his brother had mentioned at York that he would take all the hemp offered in this District it was considered unnecessary to send me any money

Within these few months I have had the same applications to take hemp as a Commissioner and in reply referred them to Mr Dickson declined taking any from them and lately I spoke to him myself who said he had no orders from Captain Mills[1] to purchase

This day 29 cwt 1 qr 17 lbs amounting at the price offered by Government to Ninety One pounds 17/ 7¼ Currency has by Messieurs Belden and Tutman been put into my hands after taking the Oath prescribed by Law. As I did not wish to refuse it on the principle of having no funds to pay them which they understood the other Commissioners always had I applied to *Major Halton* who directed me to you for his Excellency's information on the subject. Have the goodness to inform me what I am to do by the first opportunity

I am Sir &c

JOSEPH EDWARDS
Commissioner &c.

William Staunton Esquire
Sec'y &c &c &c

(Sundries, Upper Canada 1811.)

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[1] Probably Captain William Mills who had established a rope walk and cordage factory at Amherstburg.

An endorsement in pencil on the blank page reads

Major Halton was then at Niagara on his way to Lower Canada & this letter was submitted to the Lt Governor — nothing was done in the business

A report of Mr Justice Powell is evidence of the extreme reluctance of the Bench as well as the public to inflict capital punishment for the crime of theft

FROM JUSTICE WILLIAM DUMMER POWELL TO WILLIAM HALTON

York 26th Septr 1811

Sir

I have the Honor to report for the Information of his Excellency the Lieutenant Governor that on the western Circuit in the District of Niagara George Windeker was capitaly convicted of stealing a Heifer but recommended to Mercy by the Jury which convicted him — As the Man bore a good Character untill charged with this offence and his Connections were respectable I presume his Excellency will think with me that the great object of Example may be attained by commuting his Sentence into perpetual banishment which may be done by a conditional Pardon — I have the Honor to be &c

Wm Halton Esqr WM DUMMER POWELL J

(Sundries Upper Canada 1811)

This recommendation was promptly carried into effect by the following order to John Macdonell the acting Attorney General

LIEUT GOVERNOR'S OFFICE

York U Canada 30th September 1811

Sir

I am commanded by the Lieut Governor to desire that you will take the necessary measures for a Pardon on the condition of perpetual Banishment out of the King's Dominions being prepared for his Signature for George Windeker capitally convicted of stealing an Heifer at the assizes lately held at Niagara

I have the honor to be &c

WM HALTON Secy

John MacDonell Esq
&c &c &c

(Sundries Upper Canada 1811)

The change of administration was announced in the following letter wholly in Brock's handwriting

York Upper Canada

October 9th 1811

Sir

I have the honor to inform your Excellency that in consequence of Lieut Governor Gore's departure for England I have this day assumed the administration of the government of this Province —

I have the honor to be &c

Isaac Brock

M. Gl

To

His Excellency

Lt General Sir George Prevost

Sr &c &c

(Sundries Upper Canada 1811)

From Hugh Alexander to Alexander Rea

Fort Erie Oct 3 1811

Mr Alexander Rea

Dear Sir

I have the pleasure to announce to you my safe arrival at this place on the 15th ult and had the satisfaction to find my family enjoying good health Since my arrival part of the time I have not been as well as I was while travelling but have now quite recovered my former good health I have not as yet seen your son[1] but from my information he is very well I should be at his place in a few days when I shall call on him The articles I bought from you have not yet arrived but I have heard of their arrival at Queenston Agreeable to your request I made what inquiry respecting the phials I could when coming home and in Albany found them considerably scarce I have not as yet sold any positively but from their being scarce in Albany I judge they may sell at this place before this time twelve months — therefore if your Hghd[2] of pheals is not yet sold you may have them forwarded to Lachine to Mr McGevach by the first opportunity for the season is now far advanced and charge me with the same agreeable to what we mentioned when at your place

---

[1] Probably Daniel Ross, a merchant at Dover

[2] Hogshead.

With compliments to Mrs Rea & Family

From Hugh Alexander to Robert Nichol

Fort Erie Oct. 9 1811

Robt Nichol Esqr

Dear Sir

Enclosed you have Michael Hickey's receipt for two barrels marked R N to be left at Colonel Ryerson's mill for you which contains 224 lbs Black Pepper agreeable to your order which came after the Chippewa sailed & supposing that you might be in immediate want of it per the first opportunity One of the barrels not being full and supposing you might be in want of some rope for your own use I put in one coil of White Rope which will answer for traces &c which you may either credit me with at 2/ York per bill the same as I paid or sell the same at an advance on my account and deduct your commission the Chippewa has just arrived with 28 barrels of flour which I shall deliver to Mr Warren as before

From Hugh Alexander to Jabez D De Witt

Fort Erie Oct 17/1811

Mr Jabez D De Witt

Dear Sir

I have the pleasure to inform you that I arrived at this place on the 18th and found all my connections in good health Since my arrival I have not enjoyed good health as well as I did when travelling — however I have for a few days past been quite restored and trust that ere this I may congratulate you on your safe return to good health The case of hats I received on the 25th ulto And found every article agreeable to the account on the other side I have annexed a memorandum which if you will have the goodness to furnish and forward as soon as you possibly can as the season is far advanced I will make you payment for the same agreeable to your terms for the Hats &c You will please to put them up safely and send them to Mr McGevach Lachine

6 lbs Verdigrease

1 piece of glazed black hat binding 2nd quality

2 gross black galloon 1 bottle aqua fortis
½ drab do
½ hat buckles 1 superfine white bonnet 23 inches
3 black hat bands inside
1 lb pumice stone
½ doz hat bow strings.

FROM HUGH ALEXANDER TO JAMES SINCLAIR

Fort Erie Oct 23 1811

Mr James Sinclair[3]
Dear Sir

When you was at this place I mentioned to you my expecation of making different arrangements with respect to the Chippewa. I have therefore made a purchase of the said vessel and will accordingly make arrangements in season for proper persons to sail her the ensuing season.

I have therefore to request of you to let me know whether you are at liberty to engage next spring and if so what your lowest terms will be for the same to sail her as master to commence say the first of April and continue the season — the vessel as you know is a good new one and I hope will be well manned which to you if you take the command will be considerable of an object. You will therefore make your terms as reasonable as possible as the vessel will not admit of heavy expense — you need not mention what I have wrote you as it might cause others to think hard by giving you the preference

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Oct 24 1811

Dear Sir

Yours of the 21st rec'd also one from Mr Kerby to the same effect respecting your goods which came to this place. I am extremely sorry it was out of my power to have the Chip go to Long Point as I intended. The reason was that she was completely filled with stuff positively engaged before and prior to my purchase excepting a few heavy articles which had to be put in her hold on account of so much deck loadings to make her safe. However agreeable to your request I have fitted out an excellent batteau with Archibald Thompson Conductor with those articles which I supposed you were most in need of and also such articles that might be landed should occasion require. I have sent very few of Dr Rolph's articles as they were chiefly heavy articles and as I expect the Chip at this place next week

should the wind and weather permit I will then send her immediately with all the remaining articles at this place

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[3] Afterwards a second lieutenant and pilot in the provincial marine on Lake Erie

P.S. I have sent twice over the river in order to get—— to go to your place But could get none However I hope the boat will arrive safe

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov 7 1811

Robt Gillespie

Dear Sir

Yours of 20 Sept I received the 4th inclosing invoice of sundry goods say horn glass &c which came to hand the same time I have also received the goods forwarded to Lachine while I was in Montreal and which I find all agreeable to the invoice with the exception of three articles amt £3 17 1 Hfx as you have on the other bill With respect to the butter I am sorry any difference should occur in the weight However when season will permit please send the amount of sales as then I can have recourse on them I purchased it from the quantity different

Sept. 27 1811
Mr Robt Gillespie
To Hugh Alexander Dr

	£	S	D
To 2 doz wood rasps at 14/6	1	9	0
½ — horn at 16/	0	8	0
	1	17	0
Advance 42½ per cent		15	8½
	2	12	8½
½ doz knit wool braces at 32/6	1	4	4½
Hfx C.	3	17	1

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Nov 15 1811

Robt Nichol Esq

Dear Sir

Enclosed you have an account of 84 pieces of your goods the whole number at this place — the articles you mentioned in your last letter shall be attended to and every article I hope sent the next trip as I shall have to send the vessel once more if the season will permit All your goods except some which

I expect for you has not yet come forward but is daily expected There is also a number of articles as you will see in your bill which I have taken the liberty to address to your care which please have stored till I can have an opportunity of taking them away The 25 bbls of salt marked E Hasbrook of Juba Ston and Co. who has a store at Townsend under the direction of C Foster and Co. or Mr Cayl himself you may perhaps know best as you live near them who to inform respecting them the remainder say 40 barrels more will be up next turn

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov 23 1811

Robt Gillespie

Dear Sir

Your kind favor of Oct 12 covering the sale of butter I rec d yesterday and feel well pleased with you sending it to the Quebec markets. I find by the acct of sales one barrel of butter is yet unsold If you have not received it please enquire at Messrs Parker Gerrard Ogilvie and Co if they have sold it very well if not you will please appropriate the proceeds to my credit as before should Government purchase flour and pork this season I shall make an offer for part of mine at least However as yet I am not certain with respect to that market as no advertisement has appeared for that purpose Butter is very scarce at this season However in the spring I shall pay strict attention to the Quality and packing of that article for your market You will in your next letter have the goodness to say what you think lard and potash will be likely to bring next spring it if saleable

Colonel William Claus reported the measures he had taken in accordance with his instructions to restrain the western Indians from beginning hostilities against United States in a letter addressed to James Brock then civil secretary to his brother the General

Fort George 9th Decr 1811

Dr Sir

I have to acknowledge the receipt of your letter of the 3rd instant

Agreeably to General Brocks desire to know what steps I had taken with the Supt of Indian Affairs at Amherstburg to use his influence with the Indians to keep them quiet I beg leave to enclose an extract from my letter to him of the 24th ulto in which I desire him to recommend to the Indians Peace and should any attack be made on them by the Americans to retire A copy of Lieut Gov Gore's letter to me of the 26th Feby last Discouraging any hostile measures on the part of the Indians was transmitted to the Supt of Ind Affairs at Amherstburg the 7th of March last with directions to pay the most particular attention to the contents. I have again written to him in consequence of your letter of the 3rd by Bell [1] the shipbuilder who left this yesterday he informed that the report of the Action on the Wabache[2] was not believed in when he left Amherstburg the 1st instant

P S The enclosed copy of a letter from Colonel Elliott which I recd two days ago I beg you will lay before Genl Brock dated 24th ulto

(Dominion Archives S Indian Affairs, U C. 1810 1813)

Some letters from the enterprising Benjamin Canby have escaped destruction

FROM BENJAMIN CANBY TO CHARLES ASKIN

Friend Askins

Dont delay in geting a line to york Respecting the reserve I met Holly on his way Down to Isac Sweasys He inquired of me whether the Governor had left Newark yet I informed him he had I beleave his business in getting Isaac Swesy to aply for the same land for him so that William Dixton should right immediately so as to get the start it would without a doubt put a stop to it I remain yours

BENJ CANBY

fifteen mile creek
Tues Day morning

Addressed.—
To
Charles Askin
Marchant
at Queenston

(Askin Papers, Canadian Archives undated probably 1811)

FROM BENJAMIN CANBY TO CHARLES ASKIN

Canbury 24 Oct 1811

Friend Askins

according to William Leans request I have sent the boat

---

[1] William Bell foreman or master builder of the naval yard at Amherstburg 1812 1813 [2] Generally called the Battle of Tippecanoe 7th November 1811

Down which will be a convenient chance for your goods to be conveyd they brought your salt and Iron from Controns took from the mills 10 Barrels Potash please to not neglect feching up your Surveying instruments likewise a grind stone I purchasd from Squire Cowan thats if the boat will conveniently take it for it is much wanted I remain your Frend

BENJ. CANBY

N.B. I understood from Garner from Leans that you had a man Coming up to help Down the boat but he has not arivd yet please to right to Gorge Kefer not to Delay running out the road as the oversears is Detained from working on that head until he lays it

Addressed —Charles Askin
Marchant
at Queenston

(Askin Papers, Canadian Archives.)

After carrying on his business for some months at Queenston, Charles Askin removed to Canboro, where he organized the militia of that township and Haldimand, having Benjamin Canby as a subaltern. As the following letter indicates he undertook the management of a mill which had been built by Canby on a small creek falling into the Chippawa.

FROM JOHN CLARK TO CHARLES ASKIN

15 Mile Creek 21st Decr. 1811

Dear Sir

Having understood there is a person in your employ named Rouse a Millwright — if you can possibly spare him for a week or two will you have the goodness to allow him to come down and assist in finishing a Grist Mill that I have lately purchased— I have wrote to him on the subject and trust that you will use your influence with him on my part

Hoping that you find your country residence pleasing and that we shall see you this way soon I am
yours Truly

JOHN CLARK

Charles Askin Esqr.
Addressed —Mr. Charles Askin
Merchant
Canborough

(Askin Papers, Canadian Archives.)

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 43

RECORDS OF NIAGARA
A Collection of Contemporary Letters and Documents
1812

Collected and Edited
by
BRIG GENERAL E. A. CRUIKSHANK

Published by the
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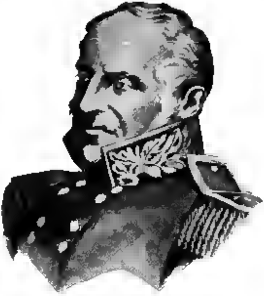

R H Sheaffe

— Sir Roger Hale Sheaffe —

PREFACE

The documents printed in the following pages have been collected from a variety of manuscript sources and will be found to complement those published in "The Documentary History of the Campaigns on the Niagara Frontier in 1812 and 1813 in 1898 and 1899 by the Lundy's Lane Historical Society They throw considerable further light on the civil and military affairs of that time

RECORDS OF NIAGARA

No 43

1812

FROM THOMAS DICKSON TO JAMES BROCK

Queenston 11th January 1812.

Sir

Mr Addison having been very ill for these two weeks past and although the Doctors now think him out of danger he will not be able to attend at York the ensuing Session of Parliament as Chaplain to the House of Assembly by his desire therefore I now write to Mr Stuart[1] to request him to officiate for Mr Addison and the present is to request you to get His Honor the President to give his permission for Mr Stuart so to do

I have the honor to be
Sir
Your most obedt Servant

Thomas Dickson

James Brock Esquire
Secretary to His Honor the President

(Dominion Archives Sundries, 1812)

Within a month Mr Addison had recovered sufficiently to be able to write the following letter

Niagara Feby 5th 1812

To His Excellency Genl Brock

May it please your Excellency

Mr Peters[2] having made me acquainted with the probability of a new District being formed at the Head of Lake Ontario[3] in which he contemplates to remove and establish himself and having suggested to me a desire to obtain the office of Clerk of the Peace or Register in the event of such a Division taking place I have taken the liberty to recommend Mr Peters to your Excellency's notice as a person whom I have long known and whom I believe to be every way qualified to fill either of these Offices above mentioned

---

[1] Reverend George Okill Stuart minister of the Church of England at York

[2] William Birdsaye Peters, a son of Reverend Samuel Peters.

[3] Formed in 1816 as the District of Gore

I have the honor to be
your Excellency's most Obedt.
& most Hble Servt.

Robt. Addison
Minr of Niagara

(Dominion Archives Sundries Upper Canada 1812)

FROM JOSEPH EDWARDS TO HON JOHN McGILL

Niagara 17th Jan 1812.

Sir,—

In accounting for the above balance [£126.15.0] permit me to observe that a continuance of work for the amount has been contracted for some part of the money advanced, and about £20 of the work actually done but the men through their tardiness being catched by the frost when as they say, within two days of finishing I could not examine the same Of course they remain in part unpaid, and the whole uncharged. An exception may again be made to the purchase of spades under the impression that the law requires persons performing Statute Duty to come prepared with those articles The British Statute does the same but implements are also furnished and I am fully convinced that the purchase of wheelbarrows and planks in addition to the above would be of public use on that road to assist the Statute Labour when the public money is expended.

It may be thought that I have unnecessarily protracted the appropriation of the money but I am confident the delay has been of good to the Public since it has enabled me to see the utility of a continued ditch on one side only of the road the water always finding its level has pointed out the places where to bridge across a channel dug to let the water pass, and has had the most happy effect on this road.

As to the £45 appropriated to the cross road in Grantham, it is untouched in my desk. Soon after it was known that the money was voted I was applied to by one Joel Austin, and who I dare say would have done the work faithfully Not having been then appointed I could only promise to hear his proposals when that took place, he however it seems went and having boasted of having got the contract and I soon found a violent party (Methodists) each individual of which had anticipated a share of the money was formed against him After being appointed on the 5th of June I twice examined the place which I found little more than a pathway a long narrow causeway seemingly not wider than ten feet with a ditch close on each side made diagonally across the lands of a few farmers for their convenience in going to mill, in no place 30 ft wide and when speaking to some of them about moving their fences was answered that they would expect the spaces between the concessions in lieu Some time after in company with Mr Crooks and Peter Ball Esq I again examined the road and found the same indifference among the few we could see one would remove his fence if the other did This is not yet done to my knowledge and until it is in my opinion any money laid out would be thrown away

I have the honor to be &c

Jos'h Edwards, Comm'r &c.

Hon John McGill Inspector, &c., &c., York.

The following letters show that Hugh Alexander carried on his business at Fort Erie until it was abruptly terminated by the declaration of war

FROM HUGH ALEXANDER TO PARKER, GERRARD, OGILVIE & CO

Fort Erie, Jany 29 1812.

When in Montreal last August I left with you twelve barrels pork and requested that the proceeds should be paid to Thos. Clark, Esqr on his acct at Montreal together with twenty barrels of flour which was still at that time at Prescot or should Capt Gilkison keep that flour he was to remit to you 45£ Currency which he informed me this fall he had done —some time after Mr Clark's return I called to know if he had received the above which he said he had not and not having heard anything from him on the subject I have now drawn on you in favor of Messrs Lee & Clark for £90 Cy which you will I trust have the goodness to honor and should the above [have] been passed to Mr Clark's credit since he left Montreal I will remit you either bill or flour early in the spring sufficient to discharge the above draft together with whatever compensation you may think right for the use of the money

FROM HUGH ALEXANDER TO ALEXANDER REA

March 21 1812 Fort Erie

I wrote you on 3 Oct 1811 requesting you to send the whole of the phials which you had on hand when I left Montreal but have not had the pleasure to hear from you since in consequence of which I am led to believe that the letter must have been miscarried in which case if you have the said phials I will thank you to forward them to Mr McGevach as early as there will be any opportunity of forwarding as I have made promises on the supposition that they would have come last fall and the persons to whom I have promised are anxiously waiting their arrival this spring supposing they are on the communication last fall you will please advise me as soon as possible to say whether you have the phials yet or if you have sent them and what the profits are of your market this season.

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Mar 25 1812

Yours 20th February came to hand the 15th instant by which I am very well pleased to see the markets are looking up.

I have made an offer to Government for my pork and 200 barrels of flour but am not certain as yet whether it will be accepted or not as there is only a small quantity as yet wanted in this Province I shall be glad to hear from you as often as leisure will permit.

FROM HUGH ALEXANDER TO JABEZ D DE WITT

Fort Erie Mar 25 1812

I wrote you on the 3rd of Oct 1811 inclosing a small memorandum for some articles in your line of business but have not as yet had the pleasure to hear from you therefore have been necessitated to procure the articles from another quarter—you will therefore have the goodness not to send the articles this spring as I shall have no use for them at present

FROM HUGH ALEXANDER TO WILLIAM ALEXANDER NEAR SCHENECTADY

Fort Erie Mar 26, 1812

The first of the month I was at Long Point and Ephraim informed me that he was to remit you some money if possible by the first of April I now enclose you sixty dollars which goes forward by mail and I hope will arrive safe and which place to his credit

I went to see McDougall but he was gone to York But left a line for me to say that he would be at this place in April and perhaps would have it in his power to pay part—Business at this place is very dull at present Ephraim was well when I left Long Point and also your friends in this quarter With compliments to Mrs Alexander and family

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie March 30th 1812

Your favor of the 23rd instant came duly to hand mentioning our verbal agreement respecting the transport business this season in which I will do the business for what you have stated and part which you have omitted at 1/6 N Y C per barrel from this place to Chippawa that being the same else as last year

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie Ap 1 1812.

Agreeable to your request I called on Mr Lovejoy with your draft who mentioned he had remitted you the amount per Dr Cotham also I spoke to Mr Grosvenor presenting Mr McGevack's two accts, the one say £10.8.0 currency which he has paid to Messrs Clark and Street by request of Thomas Clark Esqr and the other small amount of £2 16.0 Cy will be more convenient for him to settle in the same way as he has a demand against John Osborne who is in Clark and Street's employ Having seen Mr Clark's acct in favor of Mr McGevack of Aug 16 1811 for the said sum of £10.8.0 per Clark and Street's receipt for the said money by Mr Osborne I am well convinced that Mr Grosvenor's statement is correct in consequence of which I now enclose to you the above two accts and also your draft on Mr Joshua Lovejoy for £9 2.0 N Y C.

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie April 6, 1812

Having made a contract with a Mr Goodwin at Chippawa to build a boat for me which he now informs me will be out of his power unless I can procure the plank and scantling from you for that purpose If you will therefore have the goodness to let him have the quantity I will pay you for the same and you will confer a favor on yours &c

FROM HUGH ALEXANDER TO JAMES CROOKS

Fort Erie April 18 1812

Having a small acct with Seth Winslow on his leaving this place he sent me the enclosed draft on W & J Crooks for £9 7 3 N Y C. dated 24th instant his reason for which date is best known to himself Having just heard that he has resigned I shall request the favor of your acceptance if agreeable. If it is not in your power to accept it you will have the goodness to deliver the written draft to the bearer Mr Grant

FROM HUGH ALEXANDER TO W & J CROOKS

Fort Erie May 2 1812

Yours of the 24th came to hand yesterday by which I find that £5 15.8 N Y C on Mr Winslow's draft has been collected and as there is only remaining £3 11.7 due on the draft perhaps you can have it in your power the next time to draw the same as you I should expect are his agents in this quarter and in so doing you will confer a favor on yours &c.

FROM HUGH ALEXANDER TO WEST & HASBROOK, ONONDAGA

Fort Erie May 14 1812

Your favor of 22 April I received the 4th instant and in answer to which I have to state that the 70 bbls. of salt was Mr McCormick's property if returned by the time mentioned in your letter say June 1 I shall also mention to Mr Sides? to be in readiness for you the first time I see him as to the delivery of salt at this place. I am at a loss to state my price as very little is sold and if any it is on a credit of perhaps 12 months at 40/ per bbl. You will have the goodness to collect all you possibly can from Mr Mead and forward it as you mentioned to Mr McCormick If the laws will permit if not forward it to Lewiston to whoever is your agent at that place or Mr Joshua Fairbanks as you see proper

FROM HUGH ALEXANDER TO CAPT WILLIAM MILLS

Fort Erie May 30 1812

I understand that you have a quantity of cordage on hand in which I presume you have different sizes Will you have the goodness to send by the return of the ship sixty fathoms of 6 inch or 6¼ jute cable for the Chippewa with a bill of the same and when payable If you could make it payable the 1st Oct next it would suit me best

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, June 24, 1812

I enclose you here my acct for baking 2350 lbs biscuit for the South West Company—amount £14 2 0 N Y C which you will please pass to my credit. I also made use of 14 bbls flour for said biscuit which was to be replaced at Queenston four of which I have received the other ten will you have the goodness to mark H A and ship with the rest of my flour should Gray's sloop be at Queenston I should wish you to ship any flour in her to Prescott—if not, send it by the first safe vessel

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, June 25 1812

I have in my store 14 bbls Potash and Pearl ash was marked G H for Messrs Grosvenor and Hancock Buffalo, and will be forwarded by the boat next trip you will please to ship them in the first safe vessel to Prescott and consign them to Messrs. Tappan & Sewall Montreal. All flour is from this at present.

Relations with the United States had become so unsatisfactory and menacing that instructions were issued to place the frontier military posts in Upper Canada in a suitable condition to resist an attack

FROM NOAH FREER TO LIEUT COLONEL BRUYERES R.E.

Military Secretary's Office
Quebec 3rd February 1812

Sir

I am directed by the Commander of the Forces to desire that you will take measures and give such orders as may be necessary that the following services at the posts mentioned in Upper Canada be executed with as little delay as possible viz:

Fort George

The works &c at this station to undergo such repair as is necessary to render the post tenable

Fort Chippewa

The picketting around this post to be repaired or renewed.

Fort Erie

The work already executed at this post to be closed.

Fort Amherstburg

To be made tenable

St Joseph's

The picketting at this post to be repaired or renewed

(Dominion Archives Sundries 1812)

Two letters from Charles Askin to his father then living at a house, which he had named Strabane near Sandwich throw some interesting light on the proceedings of the provincial parliament.

York 24th February 1812

Dear Father

I have been here some days on business part of which is to try and get some money from the Legislature to be laid out on a road passing through the place where I live[1] and to get exchanged from the Regt of Militia to which I now belong into one in the district of Niagara which I believe I will have no difficulty in doing as the President[2] has no objection to it I had the honor of dining with him the day after my arrival here and have an invitation to a Ball he gives to night to which I intend going The Legislature have not done much yet a bill has passed the lower House respecting the Militia In every district there are to be two light companies to consist of one hundred men each who are to be called out six days in every month until they are perfect in their exercise The law gives power to the President or person administering the Government to suspend such Officers of the Militia as he thinks proper A Law respecting carriages meeting on the road has also passed the House all carriages meeting are to turn to the right and give half the road whether going or coming from Market[1] A few days before I left home I had the pleasure of receiving a letter from you and one from Johny—I cannot answer yours till I return home but hope I shall soon have an opportunity of doing it after I get there I expected James all winter but begin to fear now I shall not see till next summer

---

[1] The Canboro Road

[2] General Brock

Feb. 25th.

I saw Capt Elliott[2] last night at the Dance, he told me he had a letter from Archange to Theresa.

(Askin Papers Burton Historical Library Detroit)

FROM CHARLES ASKIN TO JOHN ASKIN SR.

40 Mile Creek, Feby 28th 1812

Dear Father

I am now on my way from York where I have been some time and from which place I wrote to you a few days ago A person who I have met here on his way to Detroit gives me a favorable opportunity of writing to you which I embrace tho I have little to say The Legislature have done little this Session as yet and as the house is soon to be dissolved there will not be much done A new Militia Act is passed. In every Regt there are to be two flank companies to consist of one hundred men each which are to be out six days in every month for the purpose of training until they are perfect in their exercise, regular soldiers will be employed to drill them I believe the house has voted £8000 to the President to be laid out in such a manner as he thinks best for having the Militia trained

A law respecting travellers on the road meeting has also

passed the house all persons meeting in carriages or sleighs are to give half the road and after December next no one is to drive a sleigh without Bells.

---

[1] Entitled "An Act to Prevent Damages to Travellers on the Highways in this Province."

[2] Mathew Elliott, then member of the Legislative Assembly for the County of Essex

Mr Nichol[1] was committed to Gaol in York by a warrant from the Speaker of the House of Commons the day before I left it this was for writing something to Major Halton[2] offensive to them in justification of his conduct when wrongfully accused by that House of not having accounted for Public money in his hands—it's so lengthy a business that I shall not enter more fully into it as I should then not be able to give you all the particulars of it[3]—and you will have the whole of it from the members when they return home which will be soon

Orders have been received lately from Below to fortify York I met the Engineer here this evening from Niagara on his way there (probably for that purpose)

(Askin Papers Burton Historical Library Detroit)

By a proclamation dated at York on 25th February 1812 the following persons were appointed commissioners in the Niagara District to carry into effect the Act recently passed for the prevention of seditious conduct Joseph Edwards of Niagara John Warren Sen. of Bertie John Warren of Bertie Samuel Street of Willoughby Thomas Clark of Stamford Thomas Dickson of Queenston William Crooke of Grimsby and Samuel Hatt of Ancaster all of them being magistrates. The letter of Thomas Clark acknowledging his appointment has been preserved.

FROM THOMAS CLARK TO JAMES BROCK

Stamford March 12th 1812

Sir

I have the honor to acknowledge the receipt of your letter of the 27th ulto. inclosing a Commission from His Honor the President empowering me to carry into effect an Act passed in the Fourth Session of the Third Provincial Parliament of this Province—entitled an Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof

---

[1] Robert Nichol, then a commissioner for highways in the London District

[2] William Halton civil secretary to Lieut.-Governor Gore

[3] See Papers and Records of the Ontario Historical Society, Vol XIX, pp 10-19

To which Commission please make known to His Honor the President that strict attention will be paid by,

Sir

Your most obedt. servt.

Thomas Clark

James Brock Esqr &c. &c &c

(Dominion Archives Sundries 1812)

The following petition from three enterprising inhabitants throws some light on economic conditions.

To His Honor Isaac Brock, Esquire President administering the Government of the Province of Upper Canada and Major General commanding His Majesty's Forces within the same

The Petition of James Macklem John Fanning and Benjamin Hardison of the District of Niagara Gentlemen.

Humbly Sheweth

That your Petitioners four years since laid before His Excellency Lieutenant Governor Gore a Petition praying for a Grant of a certain mill seat lying below the mouth of the river Welland or Chippawa in the Township of Stamford wherefrom His Excellency promised that he would do everything which laid in his power in our behalf but probably owing to a multiplicity of business which engaged his attention we never obtained a final answer on the subject.

Your petitioners have resided in this Province about twenty years during which period it has been their highest ambition to promote its true Interest and Prosperity by the encouragement of its population and by the promotion of Works of Public utility which exertions they conceive have been crowned with a Success in most respects equal to their wishes. One of your Petitioners John Fanning has been at heavy expense in erecting Mills in this part of the Province particularly one at Black Creek which was consumed by fire in February last whereby he sustained a loss of two thousand Bushels of Wheat

It is impossible for us to point out the great want of Mills in this part of the Province the Mills now erected at the Falls and at Bridgewater cannot manufacture near the quantity of Grain now raised in this Quarter of the Country and there are now in the aforesaid Mills upwards of twenty thousand bushels of Wheat though the inhabitants cannot obtain sufficient Flour for their own consumption. The said

Mills being possessed by a company who adopt such Rules and Regulations respecting them as best suit themselves the inhabitants having no alternative but to comply with those Measures consider themselves much aggrieved and burthened.[a] Your Petitioners therefore pray that your Honor will be pleased to take this Grievance into your wise consideration together with the aforesaid Petition laid before His Excellency Lieutenant Governor Gore.

But if your Honor do not think proper to grant to your Petitioners the said Mill seat we most earnestly hope and pray that your Honor will not cause it to be granted to the aforesaid Company[b] but to some worthy Person wholly unconnected with said Company

If in the opinion of your Honor this Petition would have greater weight with you by having the support of five hundred of the most respectable inhabitants in this Quarter their Signatures for that purpose may be obtained within a few Days.

We further pray that your Honor will be pleased to cause the Honorable Council to take this into their wise consideration and give us an answer to our former Petition which was ably supported by the most respectable inhabitants in this part of the Province.

And your Petitioners as in duty bound will ever pray

James Macklem[c]
District of Niagara John Fanning[d]
March 31st 1812 Benjamin Hardison[e]

(Dominion Archives, Sundries, 1812)

The amended Militia Act was formally assented to on March 6th when the provincial parliament was prorogued

and very soon after orders were sent to the commanding officers of all regiments to assemble their men and call for volunteers to form the flank companies to be trained for six days in each month until reported efficient. Several of the reports of these officers have been preserved.

---

[a] This discontent seems to have found expression in the election of John Fanning as a member of the Legislative Assembly for the fourth riding of Lincoln in May 1812. He died soon after and was succeeded by Isaac Swayze.

[b] Apparently Clark and Street.

[c] He had immigrated from Pennsylvania about 1794 and established a store at Chippawa (see Papers and Records of the Ontario Historical Society, Vol. XXVI, p. 251.)

[d] Fanning had come to Upper Canada about 1781 from South Carolina, where he forfeited property as a Loyalist, valued at £1103 10s, and married the daughter of a Loyalist. He had managed an inn at Chippawa for several years.

[e] He had lived in the province since 1776 and had been a member of the Legislative Assembly for the fourth riding of Lincoln and Norfolk, 1797-1800. See Papers and Records, Ontario Historical Society, XXIV, p. 79.

FROM COLONEL RALFE CLENCH TO MAJOR-GENERAL SHAW

Niagara, 1st April 1812

Sir

I enclose the return of the First Regiment of the County of Lincoln Militia by which you will see our total strength with the number of our loyal men who volunteered. You will likewise notice the great number who did not and I am happy to say that the major part of those persons are people from the United States lately with a few of our malcontent settlers in the towns of Niagara and Queenston and village of St. Davids where Captain Robertson's[1] mostly reside.

I also enclose a letter from Lieut.-Colonel Kerr[2] which he has stated to me personally to be his resignation. This you will please lay before His Honor the President, and I will thank you to let me know his pleasure thereon as soon as possible.

(Dominion Archives, Militia Papers, U.C., 1812)

FROM LIEUT. COLONEL THOMAS CLARK TO MAJOR-GENERAL SHAW

Stamford, April 3rd, 1812

Sir

I had the honor of receiving your circular letter of the 12th ulto. in consequence of which the 2nd Regiment of Lincoln Militia under my command was called out and met yesterday in the Township of Thorold when the supplementary Militia Law was explained as fully as in my power. Herein you have the field return of the regiment by which it will appear that out of 550 men 522 volunteered to be trained and exercised in the flank companies when and in what manner may be directed by His Honor the President.

By the return you will perceive that two of my companies are without captains, Captains Warner & Reilly[3] having some time ago resigned from infirmity & old age. Should His Honor the President think proper to appoint others in their place give me leave to recommend Mr. Robert Grant of Queenston, who has formerly been a captain of militia in the Western District and Lieut. John Decow, the oldest lieutenant in my Regiment.

---

[1] William Robertson, promoted to be Major, 1 June, 1812 and Lieutenant-Colonel, 27 June, 1812.

[2] Dr. Robert Kerr.

[3] Probably Christian Warner and John Reilly, both of whom had been sergeants in Butler's Rangers.

(Dominion Archives, Militia Papers, U.C., 1812)

FROM LIEUT.-COLONEL JOHN WARREN[4] TO MAJOR GENERAL SHAW

Fort Erie, 12th April 1812

Sir

I have had the honor of receiving your circular letter of the 12th ulto. with the supplementary to the Militia Law passed the last Session of the Legislature, saying

That His Honor the President was anxious that the provisions therein contained should be explained to the men under my command and that whatever measures His Honor might find it expedient to adopt he would dispense with a ballot until the last emergency.

I have great satisfaction in acquainting you that the behavior of the 3rd Regiment of Lincoln Militia has precluded the necessity of a ballot. Four companies of the Regiment are resident in the Townships of Bertie and Humberstone, the other four companies reside in Willoughby, Crowland and Wainfleet on the east side of the Chippawa to the distance of thirty miles up that creek. It therefore became me to consider the ease of the men by lessening the fatigue of their assembling at too great a distance from their farms. The first four companies were ordered to assemble in Bertie on the 9th instant and the other four companies to form at the mouth of the Chippawa on the 10th, at both of which places I attended.

Of the companies of Bertie and Humberstone every man voluntarily turned out to the number of two hundred and six. The four companies at Chippawa also behaved well, out of two hundred and eleven on parade, only five stood fast.

---

[4] John Warren, Sr. had come to Canada with the 8th Regiment as a drummer, but was appointed about 1780 assistant commissary at Fort Erie and held that appointment until his death in 1813. He was one of the first Justices of the Peace in the district of Nassau and the first Collector of Customs at the port of Fort Erie Passage with an outport at Long Point and inspector of pot and pearl ashes.

While the circles were formed at both places and I had read and explained the act the officers were called upon to step forward and take the oath and after setting the example not the least hesitation was made and every man, officers and privates stood around while Messrs Street and Crowell Wilson administered it.

(Dominion Archives Militia Papers, U.C., 1812)

A circular letter from Brock was sent to twenty five officers commanding regiments of militia including the five regiments of the County of Lincoln, giving them carefully considered instructions for the organization and training of the flank companies to be formed in their regiments.

Head Quarters York 8th April, 1812

Sir,

The power which is vested in the person administering the government by the amended act of the militia passed the last session of the Provincial Parliament of forming two flank companies to be taken indiscriminately from the battalion being limited to the end of the ensuing session would almost deter me from incurring public expense upon a system which will cease to operate before its utility and efficacy can well be ascertained

But being anxious at this important crisis to organize an armed force with a view to future exigencies and likewise to demonstrate by practical experience the degree of facility with which it may be trained for service I have to request you to adopt immediate measures for forming and completing from among such men as voluntarily offer to serve two companies not to exceed 1 captain 2 subalterns, 2 sergeants 1 drummer and 40 rank and file each in the regiment under your command

You will have the goodness to recommend who you conceive the best qualified to undertake this important duty. The nomination of the subalterns is left to your discretion

Such other regiments as are conveniently situated to receive military instruction shall have an opportunity offered them of shewing their ardor in the public service which cannot fail creating a laudable emulation among the different corps.

Assisted by your zeal prudence and intelligence I entertain the pleasing hope of meeting with very considerable success and of being able to establish the sound policy of rendering permanent at the end of the present war a code of military instruction little burdensome to individuals and every way calculated to secure a powerful internal defence against hostile aggression

Printed rules and regulations for your future guidance shall be forwarded as soon as possible; the most simple and at the same time the most useful movements have been selected for the practice of the militia.

Experience has shown the absolute necessity of adopting every possible precaution to preserve in a proper state the arms issued to the militia and of guarding against the heavy defalcations that have heretofore occurred.

For which purpose you are authorized to prepare one or more depots in situations the most safe and convenient for assembling and drilling the men by squads and where the arms are to be lodged after each day of exercise.

You are allowed to charge in your contingent account at the rate of five pounds yearly for every twenty muskets issued for the use of the men, which sum it is supposed will prove ample to defray every expense of keeping the arms and accoutrements in a complete state of repair.

You will make application to the officer commanding at Fort George[1] for the number of arms and accoutrements wanting to complete the men actually engaged to serve in the flank companies and that officer has been instructed to comply with your requisition upon your transmitting duplicate receipts, one of which is to be forwarded to head quarters, that you may become responsible for the articles delivered to your order; at the same time the most liberal construction will be given to any representation accounting for such contingencies as are incident to the service.

John Clark[2] has been appointed to perform the duties of adjutant under your command. Should you find him incompetent to the task you will feel it your duty to report the circumstances from whatever source it may arise.

I cannot dismiss this subject without expressing my expectations that your knowledge of the localities of the country will enable you to make such arrangements as will give the utmost facility to the important object in view without subjecting the men to any material inconvenience. Coming generously forward with an offer of their services they are the more entitled to every consideration.

Not only the place but likewise the time for assembling the companies or squads will be strictly attended to by you. It is my earnest wish that the little the men have to learn

may be acquired by way of a pastime and not looked upon in the light of an irksome restraint. The generality of the inhabitants being already acquainted with the use of the musket have the less to learn. You may therefore under the existing circumstances limit the parade of the companies to three times in each month

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[1] Other regiments were authorized to draw arms, &c., from Kingston, York and Amherstburg according to convenience.

[2] For the 1st Regiment of Lincoln, James Kerby was appointed adjutant of the 2nd, Henry Trout of the 3rd, John Taylor of the 4th, and John W. McIntyre of the 5th. Lieut.-Colonel Johnson Butler commanded the 4th and Major Richard Hatt, the 5th Lincoln.

A little attention on the part of the men will very soon enable you to reduce even that short term of attendance The chief object of the flank companies is to have constantly in readiness a force composed of loyal brave and respectable young men so far instructed as to enable the Government on any emergency to engraft such portion of the militia as may be necessary on a stock capable of giving aid in forming them for military service To your prudence and exertions I confidently look for the attainment of a system so evidently conducive to the safety and tranquility of the province

(Dominion Archives Militia Papers U C M D 31)

The following documents give some indication of the care taken by Brock to appoint trusty returning officers and fix the date of the polling at a time agreeable to the candidates favored by him

Queenston 13th May 1812

Received from Archibald Oliver Corporal 41st Regiment on this Thirteenth day of May 1812 one parcel containing Writs and Instructions for me as Returning Officer of Members for the Third Riding of the County of Lincoln to serve in the new Parliament at the ensuing Election

James Kerby

(Dominion Archives Sundries 1812)

Burford 6th May 1812

Received from the bearers two Natives the packet containing the Writ of Election &c.

Sir your most
obedient and humble
Servant

(Unaddressed) William D Bowen

(Dominion Archives, Sundries 1812)

FROM J B ROUSSEAU TO JAMES BROCK

Ancaster 19th May 1812

Sir,

I enclose you two receipts one from Mr Wm D Bowen the other from Mr John Bostwick, acknowledging having received their Writs of Election

Mr Hepburn's[a] and Durand's I delivered myself I took notice of your direction not to forward Mr Bostwick's too early But the Man that I sent to Col. Nichol with Col Talbot's letter got there sooner than I expected of course he received it a few days earlier than you wished I hope it may be no ways material

I enclose you a letter from Mr Bostwick, also one for His Honor the President.

I am Sir
your very obedient
humble servant

J B Rousseau

James Brock Esqr

(Dominion Archives Sundries 1812)

A letter from Charles Askin to his father announcing the purchase of the mills and adjacent lands in the township of Canboro

Canborough May 22nd 1812

Dear Father

I have been anxiously waiting to have an opportunity to write to inform you that I had jointly with Alexr Hamilton purchased of George Hamilton (who has lately bought of Mr Canby) the Mills[b] and one thousand acres of land situated near them which we have for some time past leased for these we are to pay £2000 N Y C.[c] in ten years in goods at retail price payable by installment—this I do not conceive to be more than about £1500 in money and the land at the lowest valuation is worth 10/ an acre which would reduce the Mills dwelling house Distillery and other house to £1000 which is thought very little for them had it been in my power to have consulted you before I made the bargain I should have done it but it was impossible to do it for unless it was made immediately when it was proposed there were a great chance of its falling through and were I to have declined making the bargain I was making Alexr Hamilton lose what he thought a good one for he would have nothing to do with the business unless I joined him—George Hamilton bought 14,000 acres of this Township on part of which were the Mills for which he pays £7000 in 5 years with interest—this bargain is considered an excellent one by Mr Thomas Clark Mr Dickson[1] & some others who have speculated a good deal themselves in land & know the value of it well—Though I have no society here and have little or no amusement I am well pleased with my situation for I am kept busy and have not time to be lonesome and I think my prospects of making something are greater than they were in any situation I have been in—I intend to leave this in a month to go and pay you a visit and should I have time I shall go to St Josephs to see Johny[2]

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[a] Probably William G Hepburn

[b] Probably the mills built by Canby on Moore's Creek (see Papers and Records of the Ontario Historical Society Vol XXIV pp 56-58)

[c] $10 000.

I am in haste and must conclude Please give my love to my dear Mother my Brothers and Sister

(Askin Papers Burton Historical Library Detroit)

A list of ships on Lake Ontario in 1811 1812, compiled from returns of lighthouse dues collected at Niagara and York, shows that commerce was actively conducted by water

Schooner	Ontario	87 tons
"	Niagara	55 tons
"	Collector	50½ tons
"	Prince Edward	72 tons
"	Julia	53 tons
"	Fair American	82½ tons
"	Governor Simcoe	136 tons
Sloop	Elizabeth	48 tons
Schooner	Lady Gore	46 tons
"	Genl Hunter	36 tons
"	Mary	35 tons
"	Two Brothers	36 tons
"	Eagle	26 tons
"	British Queen	23 tons
"	Sophia	25 tons
"	Lark	26 tons
Sloop	Marianne	36 tons
Schooner	Experiment	55 tons
Sloop	Enterprise	21 tons
Schooner	Charles and Ann	99 tons
"	Lord Nelson	46 tons
Sloop	Republican	17 tons
Schooner	Mary	51 tons

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[1] William Dickson of Niagara.

[2] His half-brother John Askin Jr., storekeeper for the Indian Department at St Joseph's Island

The Ontario Niagara Collector Julia Fair American Experiment Charles and Ann Lord Nelson and Mary were purchased by the Navy Department of the United States and armed as ships of war Several others were employed as transports by the British naval authorities

The remarkable success in recruiting the flank companies of the militia with volunteers was promptly acknowledged by General Brock in a public manner

Circular Government House

York 25th May 1812

Militia General Order

The very satisfactory reports made to the President by the officers commanding corps of the spirit and zeal manifested by the men in volunteering their services for the flank companies has afforded His Honor the most lively gratification and confirmed the opinion which he was always disposed to entertain of their determination to defend bravely their country and in emulation of their veteran fathers evince by deeds the ardent loyalty they have so often professed Conduct so honorable and dignified has not failed making a deep impression on the Provincial Government and to increase if possible their anxious desire to contribute everything in their power towards the comfort and happiness of the people

With this view they have humbly solicited His Royal Highness the Prince Regent for his gracious permission to allot to the wives and children of such soldiers militia and marines who may be killed in the present contest[1] a portion of the waste lands of the Crown and to afford relief to such as may be disabled in the service for whom no provision is otherwise provided

By command of the President

Æneas Shaw

Adj Genl Militia

Upper Canada

(Dominion Archives Militia Papers M D 31)

A letter from George Hamilton to Thomas McKee apparently about the middle of May gives a striking account of military activity

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[1] War was not actually declared by the United States until June 18

Queenston May — 1812

The Americans are assembling & sending troops as fast as in their power A company came in yesterday & one the day before & another expected to-day & another to-morrow & so on to the end of the week I can assure that the river has at present quite a martial appearance The two forts so close below the Royal George at anchor between them the American frigate[1] expected up every day a large scow & batteau filled with soldiers hauling stone for the garrison at York huts with soldiers on one side an encampment at McBride's on the other another at Miller's & stragglers at Lewiston Capt Powell[2] & riflemen at the great guns Crooks[3] & his flankers in the yard here all yesterday Alexr & his troopers on their way to the 12 McEwen[5] and his flankers there also Capt Bullock[6] is indefatigable with the flankers on the mountain & with Col Clark has been drilling them every day for this week past If the Yankees come after all the Devil is in them especially when my troopers[7] take the field we'll chop off their heads like heads of thistles

(Toronto Public Library)

A letter from George Hamilton to his father in law contains further details of the active preparations in progress for the defence of the frontier

FROM GEORGE HAMILTON TO WILLIAM JARVIS

Niagara, 5th June 1812

Dear Sir

The Royal George is now at the wharf with 250 recruits belonging to the 41st Regiment and the Gloster in sight with 50 more on board which you will agree with me is no contemptible addition to our forces here Yesterday we had a grand display on the plains Col Procter with the 41st Regt in the centre Major Merritt with his light horse on the right and Captain Powell with his company of artillery on the left and to do them no more than justice they fired remarkably well The General[1] appeared highly pleased with them as also the Sheriff's troop The General was pleased to say the other day he wished another troop to be raised in Stamford and from that to Fort Erie and wished me to take the command of it which I had not the slightest objection to informing me that Merritt was to be Major of the whole As Alexander [Hamilton] who is Captain of the troop here had gone to Long Point and did not make his appearance I took possession of his jacket and accoutrements which luckily suited me exactly and appeared with Merritt as Captain of the troop and was complimented on my appearance and the new dress I had taken care however beforehand to state the case fairly and on waiting on the General afterwards he did not seem displeased but directed me to call on him to-morrow and he would present me with my commission I dined with him afterwards and am now here again only waiting his return from the garrison to be dubbed captain and the intent of this long preamble is to beg of you to assist me in getting my accoutrements

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[1] The Oneida

[2] Captain John Powell 1st Lincoln Artillery

[3] Captain James Crooks, 1st Lincoln

[4] Captain Alexander Hamilton 1st Troop, Niagara Light Dragoons

[5] Captain John McEwen, 1st Lincoln

[6] Captain Richard Bullock 41st Regiment, Adjutant-General of Militia, 1838-1839

[7] He was then enlisting a second Troop for the Niagara Light Dragoons, which was never completed

(Toronto Public Library)

The first act of hostility on Lake Ontario was the capture of the merchant schooner Lord Nelson owned by William and James Crooks of Grimsby by the United States brig of war Oneida acting under special instructions from superior authority of which the following official account was given by her commander Captain Melancthon T Woolsey in a letter to Paul Hamilton Secretary of the Navy

U S Brig Oneida
Sackets Harbour Roads
June 9th 1812

Sir

I have the honour to inform you that I sailed on the 3rd instant on a cruise to the Westward On the 4th (off Pultney Ville) discovered three sail to windward apparently standing in for Genesee River—gave chase to them but night coming on and the weather being too hazey to run in for the mouth of the river hauld off shore for the night under short sail At day light on the 5th discovered two schooners (supposed to be two of the three we had chased the day before) standing in for the land At 7 p m we brought to one of the schooners which proved to be the Lord Nelson from Prescott (a port opposite Ogdensburgh on the St Lawrence) said to be bound to Newark in Canada she had no papers on board other than a loose Journal and a bill of lading of a part of her Cargo, but no register license or clearance w[h]ether it was intended to smuggle her Cargo on our shores or w[h]ether she was hovering along our shores to take on board property for the Canada market in violation of the Embargo law I was not able to determine But appearances were such as to warrant a suspicion of her intention to smuggle both ways I accordingly took her crew out and sent her in with my gunner on board as prize master to this port After dispatching her I stood off shore in chase of the other schooner which the master of the Lord Nelson informed me was the Mary Hatt[1] also a British schooner but finding that she had crossed the line I hove up for this port in order to lay up the prize and make my report to the Department All the proofs which I can collect respecting her voyage I will transmit without delay to the District Attorney

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[1] Brock

In compliance with the recommendation from the President of the United States on April 1 the Congress had passed an act laying a general embargo for sixty days on all vessels then in port or hereafter arriving as a preliminary to a declaration of war The instructions sent to Woolsey soon after were so vague as to enable him to make seizures at discretion

Navy Department April 8 1812

Sir

You will herewith receive a copy of the "act laying an embargo &c" passed the 4th instant You will use all the means in your power to enforce this law

Advise and co operate with the collector of customs

The proper objects of seizure are all vessels acting or found under such circumstances as may satisfy a strong suspicion of their intention to act in violation of the law

In enforcing this law we are not to violate the territorial jurisdiction of a foreign state

All vessels seized under this law are to be sent into port for adjudication the papers found on board of them are to be placed in the hands of the district attorney who will thereupon proceed according to law

Paul Hamilton

M T Woolsey Lieut Commanding
Brig Oneida Sackett s Harbor New York"[2]

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[1] Named in honour of a daughter of Richard Hatt of Ancaster

[2] Statement of the seizure of the British Schooner Lord Nelson, by an American Vessel of War on the 5th June, 1812 thirteen days before the late war with the United States, Hamilton Journal and Express Office 1841, p 12

The Lord Nelson was a new ship built at Niagara in 1811 and very well constructed. As soon as her seizure was made known to them one of the owners went to Sackett's Harbour and offered to give security to abide the decision of the court of the United States on the charge of a violation of the embargo but the release of the ship was refused. The declaration of war soon after put an end to all intercourse and under an interlocutory decree the Lord Nelson was sold and purchased for the Navy Department of the United States. She was converted into a gunboat renamed the Scourge and armed with ten guns. The purchase money $2,000.25 was paid into the hands of Theron Rudd clerk of the court to await a final decision of that court as to its disposal. On the night of August 9 1813 while carrying all sail to escape from the British squadron the Scourge was struck by heavy squall and overset with the loss of most of her crew of fifty men. After the conclusion of peace a claim was made for compensation for an illegal seizure and in July 1817 a decree of the court was obtained for the payment to the owners of the money held by the clerk but it was discovered that he had appropriated it to his own use and become bankrupt. After the death of William Crooks the suit was prosecuted against the government of the United States by Hon James Crooks his brother and after his death by their heirs and after the death of those heirs by their heirs. They valued the schooner at $5,000 and her cargo at $2,943.76. Their claim was kept before Congress for nearly a hundred years. Its justice was repeatedly admitted and two Presidents urged its payment in messages. Finally on the 1st May 1914 judgment was given for the claimant in the sum of $5,000 with interest at four per cent per annum for ninety two years making in all nearly $24,000.

Returns compiled early in July showed that the flank companies of most of the Lincoln regiments were much over the strength originally authorized. On July 3 Captain Samuel Hatt's and Captain James Durand's flank companies of the 5th Lincoln were each reported to consist of three officers two sergeants and seventy two rank and file while Captain Jacob A. Ball's battalion company of the same regiment only numbered two officers three sergeants and twenty two rank and file and Captain John D. Servos's numbered three officers three sergeants and twenty five rank and file. Nine hundred men from the flank companies of the Lincoln and York militia were ordered to march to the Niagara frontier and arranged in four divisions the first or right division to be stationed at Fort Erie, the second at

Chippewa, the third at Queenston and the fourth at Fort George. The strength of the detachment for the right division was fixed at three hundred men, and each of the others at two hundred. The first and second divisions were to receive orders through Lieut. Colonel Thomas Clark and the third and fourth through Colonel William Claus. On July 7 the third division was composed of four officers, three sergeants, one drummer and one hundred rank and file of the 41st Regiment commanded by Capt. P. L. Chambers, one sergeant and three troopers of the Niagara Light Dragoons, a captain, a sergeant and twelve rank and file of the Lincoln Artillery, Captain Samuel Hett's flank company of the 5th Lincoln of three officers, three sergeants and sixty three rank and file, Captain James Durand's flank company of the 5th Lincoln of three officers, two sergeants and sixty six rank and file, Captain John Chisholm's flank company of the 2nd York of three officers, two sergeants and thirty four rank and file, and Captain William Applegarth's flank company of the 2nd York of two officers, three sergeants and forty-five rank and file. This body of militia, numbering 246 of all ranks, was placed under the command of Captain Hett.

The detachment forming the fourth division consisted of Captain James Crooks's flank company of the 1st Lincoln of four officers, three sergeants and sixty two rank and file, Captain John McEwen's flank company of the 1st Lincoln of four officers, three sergeants and sixty-seven rank and file, Captain Lyon's rifle company of three officers, two sergeants and twenty four rank and file, Captain Abraham Nelles's flank company of the 4th Lincoln of three officers, three sergeants and seventy seven rank and file, and Captain William Crooks's company of the 4th Lincoln of four officers, three sergeants and seventy two rank and file. Making a force of 334 of all ranks, it was commanded by Lieut. Colonel Johnson Butler* of the 4th Lincoln.

The roll book of Captain John D. Servos's company of militia contains a list of persons excused or incapacitated from military service which is not without some local interest.

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*He died on service, 1st September, 1812, and was buried in the family burial plot.

Roll of males in the limits of Captain John D. Servos's company 1st Regt. (Lincoln Militia) September 7 1812

Age		Infirm	Remarks
67	Peter Ball		Half pay officer
56	Thomas Butler[1]		do. do.
60	Bernard Frey[2]		do. do.
62	John Clement[3]		do. do.
46	Benjamin Pickard		Miller
55	Frederick Manual		Militia officer resigned
26	Charles Rolls[4]		Militia officer in England
76	Joseph Anderson		
58	Joshua Ferris		
57	John Curtis	Infirm	
51	George Husen		
21	John Husen	Infirm	
62	John Bone Sen.	do.	
40	John Bone		In the pillory
62	Ezekiel Cudney		
57	George Lawrence[5]		Capt militia, resigned
52	Robert Donaldson	Infirm	
48	James Clement[6]		Militia officer resigned
22	John Thompson	Infirm	
61	Robert Thompson	do.	
63	Amos McKinney		
55	Marlow Riley	Infirm	
53	Jesse Loder	do.	
50	John Ball		Magistrate
64	John Stiver		
69	Castle Corus[7]		
60	Michael Bellinger		
54	Samuel Parks		Armourer
56	Garret Slingerland	Infirm	
54	John Secord	Deaf	
71	Johnathan Lawrence		
60	John Hays	Infirm	
58	John Welman	do	
46	Josiah Corbin	do.	

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[1] Died December 1812

[2] Killed in action 21 November 1812.

[3] Died 1848 aged 87.

[4] Died 1867 aged 82

[5] Died 1848, aged 81.

[6] Died March, 1813 aged 48

[7] Died 1838 aged 88

The termination of the armistice by the government of the United States was announced by General Brock in a forceful district general order

Fort George Sept. 8th 1812

D G O

Major General Brock was disposed to view the armistice as the forerunner of a restoration of peace and amity with the United States The pretexts on which their declaration of war was chiefly founded having been removed by the British Government and an opening offered by it to an adjustment of all difficulties of minor importance between the two countries. But in vain has Great Britain thus held out the hand of conciliation It has been rejected The President of the United States having thought fit to direct their troops to resort again to active warfare and what motive can exist for his authorizing a renewal of hostilities at the same time too (as is confidently asserted) that he has sent an ambassador to England to treat for peace

Is it to facilitate its attainment that he by his own voluntary act places the two countries in a situation to inflict mutually the horrors of war, thereby to have their minds the more embittered towards each other? Perhaps indeed he may imagine that by conquest on the side of Canada he can indemnify the United States for the loss to which they were exposed on the Atlantic side from the superiority of the naval power of Great Britain and that with a portion of her provinces in their possession more favorable terms would be obtained in a negotiation for peace but the militia of this province have too just and manly a sense of what they owe to their own personal dignity and independence to be disposed of at the will of the chief magistrate of any foreign country They will not sink to the degradation of unresistingly becoming a make weight to be thrown by his hand into the scale—such baseness belongs not to them They have already offered to the world an instance of what can be effected by the aid of their loyalty and valour and Major General Brock relies with confidence on the continued exertion of these ennobling qualities for defeating any design on this province and for contributing no less honorably for themselves than usefully to their families to their King and their country towards bringing the contest in which the implacable enmity of the American Government has engaged us to a favorable issue By order

Thos. Evans.

B M

D G O

Major Genl Brock commanding will inspect the barracks occupied by the militia in this garrison in the course of to-morrow

By order

Thos Evans

B M

(Dominion Archives, Militia Papers 1812)

The reluctance of many of the recent immigrants to perform military duty is shown by the following letter from the commanding officer of the second regiment of Lincoln militia

FROM LIEUT -COLONEL THOMAS CLARK TO CAPTAIN CHARLES ASKIN

Chippawa, September 24th 1812

Sir

I wrote you on the 8th of this month that 40 of the men attached to your company had not attended at this place to be inspected & take the oath of allegiance as directed in the last militia act Some of these however have since attended at this place and taken the oath. Those of the inclosed list I have neither seen nor heard of You will therefore see that they and each of them immediately take & subscribe before some magistrate the oath of allegiance as directed in the last militia act and according to the militia General Order to that effect & so soon as possible afterwards report to me accordingly and be particular if any there be who may refuse to take the oath

I am Sir

your very obedt servt

Thomas Clark Lt.-Col

2nd Lincoln Militia

To Capt. Charles Askin
or officer commanding
company of militia at
Canberry & Lower Haldimand

(Dominion Archives Askin Papers 1812)

An unpublished letter from Sir George Prevost to General Brock demonstrates his earnest desire to avoid further hostilities by refraining carefully from all offensive operations.

Head Quarters Montreal
30th September 1812

Sir

I have been honored with your letter of the 18th inst. Having received information that the revocation of the Orders in Council the conciliatory disposition shown by His Majesty's Government towards the United States and the knowledge of the pacific advances made have produced throughout America the best effects upon the public opinion so as to render the war extremely unpopular I should consider it extremely unfortunate if any temptation or provocation should induce you to abandon those defensive operations suited to the present state of the contest and which it has become both prudent and politic to persevere in observing

I can derive no satisfaction from any result that may attend Captain Muir's movement against Fort Wayne however favorable to our arms as it does not accord with my instructions to you founded upon those I have received from the King's Ministers and is moreover not calculated upon the present military resources of this command

I supposed an extreme case when I desired a co-operation from the forces in Upper Canada such as the evacuation of Montreal and the King's troops falling back upon Quebec before an overwhelming force It is in that event a combination of movement upon Lower Canada with your disposable force may have the effect I then mentioned

A very unpleasant report has reached my ear of want of decision and energy in the conduct of Major Heathcote commanding the Newfoundland Fencibles upon a late occasion when the detachment under his orders was attacked near Prescott It may be proper to institute an inquiry into the circumstances of that affair and if misconduct is established to mark it with reprobation You will therefore give the necessary orders thereon to Colonel Vincent

I shall not fail in communicating to Sir John Warren (our appointed negotiator with the United States) the sentiments you entertain respecting the Indians but I cannot disguise from you that it is my opinion that the present policy of Great Britain being earnestly to get rid of the difficulties occasioned by the war with America little disposition will be manifested to espouse with warmth the cause of our Indian allies I may be mistaken but Sir John must be requested to transmit to the Secretary of State the memorial sent him which had been presented to me by the Montreal merchants. You must therefore avoid committing our Government either by promise or treaty, but on the contrary restrain and control their measures so as to prevent that irritation in the United States which may render their very name an insurmountable obstacle to future arrangements in their behalf.

I have complied with your request with regard to the advance of £5,000 to the Receiver General of Upper Canada for the civil expenditure of that province and as I understand from Lieutenant Colonel Nichol that he is to be furnished with a letter of credit from the Receiver General to enable him to make the purchases of the necessaries you want,[1] I have directed the Commissary General to advance to Lieutenant Colonel Nichol to the amount of £5 000 should he require it on the account of the Receiver General; should he require less than that amount the balance will be transmitted by him in army bills to the Receiver General. Colonel Vincent having also signified to me the necessity of furnishing Mr. Ross the Commissary at Kingston with £4,000 for the subsistence of the militia and paying the fresh beef contractors for Kingston Leeds and Cornwall and other expenses of those districts I have directed that amount in army bills to be sent to him and Lieut Colonel Nichol will take charge of them The Receiver General will of course forward to the Commissary General his receipt for the £5,000 including as a part thereof whatever amount Lieutenant Colonel Nichol shall have received on his account.

(Dominion Archives C 1218 pp 443-445)

A short letter from Colonel Claus evidently written in much haste unaddressed and misdated giving an inaccurate account of the capture of two British ships at anchor near Fort Erie has been preserved

Fort George 8th Oct 1812

Dr Sir

On the 14th Ultmo Col Elliott with Captain McKee & about 600 Indians left Amherstburg on an Expedition against Fort Wayne on the head of one of the branches of the Miami & was to be followed by Captain Muir with about 300 of the 41st Regt and Militia. The enclosed copy of Col Elliots letter to me of the 3rd Instant which I send this day will shew you the failure of the expedition

On the night of the 9 Inst a number of boats from Buffalo Creek made a circuit in the Lake & drop[p]ed down to Fort Erie & cut adrift the brig Detroit & sc[h]ooner

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[1] Blankets, clothing and camp equipage for the militia on duty

Caledonia N W vessel—the former drifted on the point of an Island opposite to some of our batteries—the other on the Black Rock where she sunk as low as the water would allow being shot in the hull from one side The Detroit altho several fruitless attempts by us to be got off was set on fire by the Americans & blew up Lieut Rollette a brave young man who commanded the Detroit after loosing both hands was killed I have not been able to learn the true account it must have been a bloody time

(Claus Papers copy by Miss Catherine Claus)

Late in the afternoon of October 13 General Van Rensselaer sent over a flag of truce to make enquiries about wounded officers and soldiers and this was followed by a written message proposing to send over surgeons to attend them and proposing an armistice for three days General Sheaffe suggested in reply that all wounded prisoners should be removed across the river on condition of their not serving again until properly exchanged and agreed to a cessation of firing for three days In a second letter written next day he proposed a partial exchange of prisoners and that the militia captured at Queenston excluding those who might be exchanged shall be restored to their homes and families under an engagement not to serve against Great Britain or her allies during the war or until regularly exchanged

Van Rensselaer readily assented to this proposal and sent an officer to make equitable arrangements which were completed on October 15 Next day General Sheaffe proposed an extension of the armistice until the exchange of prisoners could be completed and General Brock buried His opponent cordially agreed to extend the armistice to October 19 and announced that he had given orders for firing salutes for Brock's funeral at Lewiston and Fort Niagara that afternoon This correspondence had been conducted on both sides with much politeness On the same day Van Rensselaer turned over the command of his troops to General Alexander Smyth of the United States army who adopted a different tone in the interchange of letters.

FROM BRIG-GEN SMYTH TO MAJOR GEN SHEAFFE

Head Quarters Lewiston 17th Oct 1812

Sir

A letter addressed by you to Major Gen V Rensselaer has been put into my hands wherein you propose to exchange a Lieut of militia and a private for an Indian savage taken a prisoner by our troops

I regret receiving from you a proposition to which I cannot accede

(Dominion Archives C 688 B, p 135)

General Sheaffe lost no time in replying at considerable length

FROM MAJOR-GENERAL SHEAFFE TO BRIG GENERAL SMYTH (Draft)

Fort George 17th Oct. 1812

Sir

I have the honor of acknowledging the receipt of your note of this date and regret that I have made a proposition to you that you find it necessary to reject especially as it was made at the particular request of B General Wadsworth As that has failed I presume that the prior agreement respecting the Indian in question which was entered into by Colonel Winder still retains its force and that the Indian will be sent back to-morrow Not yet having heard of the return of the prisoners who were to have been sent over from Buffalo or Black Rock early this morning according to the assurance given by Col Winder and for whom prisoners have already been sent as an exchange I request if they have been intentionally detained that you will be pleased to inform me of the cause

Mr Hamilton who has been some time detained at Buffalo has brothers and other near relations in this vicinity who have heard some accounts of the state of his health by which they are much alarmed I therefore permit one of his brothers to go over with a flag to Buffalo to obtain some information of him and I beg leave to propose that Mr Hamilton shall be allowed to join his friends, an officer of a rank that may be deemed equivalent being released from his parole in exchange for him

(Dominion Archives, C. 688 B 133 4)

Brig General Wadsworth who was still a prisoner of war, then applied for the liberation on their paroles of two officers of the regular army of the United States who had not been included in the original agreement which related only to officers of the militia and Sheaffe readily assented.

FROM BRIG GENERAL WADSWORTH TO MAJOR GENERAL SHEAFFE

Newark Oct 17 1812

Sir

Major J R Mulleny and Capt. Peter Ogilvie Jun. have familys and are not in the most pleasant condition to leave

I shall receive it as a great favor if you will permit them to return on parole

(Dominion Archives C. 688 B p. 136)

The draft of a second letter from Sheaffe to Smyth has been preserved which may refer to this proposal.

17th Oct [1812]

I have the honor of forwarding a note addressed to you which B G W [adsworth] has delivered to me I avail myself of the opportunity to request that I may be informed at what time I may expect the prisoners in your power at Lewiston and Buffalo to be sent over and if anything yet remains to be done on my part to accelerate the execution of the agreement for their exchange

(Dominion Archives C. 688 A p. 192)

Smyth's reply to these letters was framed in a decidedly aggressive spirit

FROM BRIGADIER GENERAL SMYTH TO MAJOR-GENERAL SHEAFFE

Head Quarters of the Army of the Centre,
Camp near Lewiston 18 Oct 1812.

Sir

Your letter dated yesterday I have this moment had the honor to receive

In the agreement respecting the exchange of prisoners signed by Colonel Winder & Major Evans there is nothing said of the Indian Chief But any verbal agreement entered into by Colonel Winder will be fulfilled.

Colo Winder addressed a note to Genl V Rensselaer stating that you estimated the Indian chief as equal to a militia major and requesting instructions

I propose to exchange the indian chief for the 24 men 7 women 6 children taken at Chicago or such of them as were not butchered

The prisoners at Buffalo have not been intentionally detained The transfer of command has prevented the order being given for their release It shall be immediately given.

The conduct of Mr Hamilton particularly in attempting to cross to Canada by night and alone would perhaps justify us in treating him as a spy But willing to proceed in a liberal manner I accept your proposition for his Exchange The delicacy of his situation and the importance of his connexion will justify me in estimating him equal to a captain of regular troops

For the master commandant of the Detroit alias Adams I expect a captain of regulars in exchange I think he ranks so by your regulations For Mr Carr[1] Lt. of Marines & Mr Molfoy you will please to release Lieutenants Totten & Randolph

I am very sorry that at the moment I am writing this despatch a british prisoner is found exploring the camp, having left his quarters about a mile distant I have placed him in close confinement

As I am averse to taking a single life or occasioning a single calamity without an object I propose a further continuance of the Armistice indefinitely each party having a right to terminate it giving thirty hours notice to the other party the armistice to extend along the frontier from the Lake Erie to Lake Ontario

(Dominion Archives, C. 688 E, pp. 141-143)

A draft of Sheaffe's reply contains several interlineations and erasures, but was sedulously conciliatory

Fort George 18th October 1812.

Sir

I have the honor of acknowledging the receipt of your communication by Captain King Assistant Inspector General.

That there was nothing said of the Indian Chief in the agreement for an exchange of prisoners signed by Colonel Winder and Major Evans was owing to a supposition on the part of the latter that the case was already provided for by a special agreement between Colonel Winder and myself that an Indian was taken prisoner having been mentioned in conversation before those two officers began the discussion of the subject on which they were to treat (and I was so strongly impressed with the idea that the exchange was finally settled that I gave an assurance to his friends that he was to be restored)* With regard to your proposition to exchange the Indian Chief for the men women and children or such of them as (were not butchered)** may survive I infinitely regret Sir that it is not in my power to restore them all without conditions In (the transactions to which you allude)** operations against that place neither the British Govt nor the influence of its officers nor a British force was concerned or probably your present proposition would be needless. I must therefore disclaim (any)* stipulations regarding them but whatever may be in my power towards obtaining the restoration of the survivors to their friends I shall most joyfully do unconnected with the present subject of discussion.

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[1] Ensign Thomas Kerr Royal Newfoundland Regiment, mortally wounded at Frenchtown, River Raisin, 22 January 1813

(I cannot admit it as a principle though Mr Hamilton's conduct during his detention may not have been in some respects justifiable yet I conceive that having been provided with a passport his attempt)** There are (particular)* circumstances perhaps in Mr Hamilton's case that (make me desirous of avoiding discussion)** I am not qualified to discuss and as I am anxious for his returning into the bosom of a family that has suff[ere]d so much on his account I am willing to grant more than perhaps ought to be deemed an equivalent for him

The late commander of the Detroit belonging to the provincial marine ranks with us only as a Lieut of the regular troops Mr Molloy's rank is inferior to that of a Lieut _but_ Sir I am desirous that the opening of a correspondence between us should be marked by a spirit of liberality conformably with which I propose that for

Mr Hamilton
Commr Rolette,
Lt Kerr

Mr Molloy and the Indian chief should be returned to you two captains of regular troops the two Lieuts you have named and Lt Smith who took the Indian chief and the Mr Smith already offered with him or a major of militia as originally proposed or if you have any substitute to name I beg that you will make it known to me

As my sentiments perfectly accord with those you express in the opening of your proposal for continuing the

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(*) Omitted (**) Inserted.

armistice I assent to its being prolonged indefinitely each party having a right to terminate it giving 30 hours previous notice

I am extremely sorry to hear that a british prisoner has been so indiscreet as to render himself liable to punishment I hope that he has erred from ignorance and that an enquiry into the case will satisfy you that it was so.

(Dominion Archives, C 688 B pp 137 140)

This letter had an immediate mollifying effect and Smyth replied next day

Head Quarters Camp near Lewiston Oct 19th, 1812

Sir

I have received your letter of yesterday and close with all your propositions

You will be pleased to give liberty to Capt Gibson Capt Machesney Lieutenent Totten Lieutenant Randolph Lieut Smith and Mr Smith

The prisoners at this place you will receive to-day & orders have gone by express for the release of those at Buffalo

(Dominion Archives C 688 B p. 144)

General Sheaffe amended his official account of the battle at Queenston[3] by a short memorandum addressed to the military secretary of Sir George Prevost

Fort George 18th Octr 1812.

Memorandum,

In my despatch of the 13th inst I omitted mentioning my A.D.C Ensign Coffin I discovered the omission in reading it and I fear that I did not rectify the error It should have been thus "I found the services of Lieut Fowler 41st Regt &c &c &c and of my A.D.C Ensign Coffin[4] very useful" I beg that the correction may be admitted into the despatch

(Dominion Archives C. 677 p 140)

On the day after the battle of Queenston Heights Charles Askin described the action as well as he could from the information he had then received in a letter to his father

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[3] See Documentary History of the Campaign on the Niagara Frontier in 1812, Part II pp. 71 and 73 and Wood, Select British Documents of the Canadian War of 1812, I, pp. 605-608

[4] Afterwards Colonel Nathaniel Coffin, Adjutant-General of Militia for Upper Canada, 1815-1837, Sheaffe's brother-in-law

FROM CHARLES ASKIN TO JOHN ASKIN

Niagara Wednesday Octr 14th, 1812.

Dear Father

Yesterday I am happy to say a great victory was gained by us over the Americans at Queenston but it is a dear bought victory for our ever to be lamented General was killed. The action commenced about one hour before daylight and continued till three or four o'clock in the afternoon. Early in the day the General received a wound and I believe never spoke a word after. When the Americans first came over there were only two companies of the 49th Regt and two or three companies of militia to oppose them. In one of the companies of the 49th Wm Robertson went with Mr Robt Grant as volunteers and distinguished himself very much. The Americans opened a battery on us and we threw over shells and cannonaded them as much as we could but not to much effect for they continued coming over. The militia and 49th being engaged so much were soon much reduced by their killed and wounded. When information was given to the General that the Americans were getting on the mountain he immediately ordered Col McDonell to collect what men he could find [and] oppose them for at this time the 49th and militia were in different parties. About 40 men were collected. They ran up the mountain and found about two or three hundred of the American regulars there well formed. Wm R[obertson] who was at the head of the 40 men ran forward and hallowed out to the Americans Now we will be at you! But the Americans immediately fired at them and obliged our men to retire down the hill. We had a battery half way up the mountain which was but weakly guarded. The General was there and was obliged to leave it and the Americans took possession of it. It was soon after this that the General got the wound which killed him. The Americans had possession of part of Queenston for some time and kept it as well as the battery and were busy bringing over their men as fast as they could till reinforcements from this place and Chippawa of the 41st militia and Indians formed as I understand on the mountain and attacked them so vigorously that they ran down the mountain as fast as they could and made for the river to get over and some attempted to swim. When the American General on the other side seeing what a perilous situation they were in sent over a flag of truce and they all surrendered prisoners of war. They were all marched down to this place and got here about sun down. They came over to breakfast on this side but I believe it was a day of fasting with them. There are about six hundred men taken and nearly fifty officers. One company of riflemen had made their way into the woods & remained there all night We heard this morning that the Indians were after them and a party of the 41st & militia are sent this morn[in]g to protect them what I must say they hardly deserve Had they not surrendered yesterday they would have all been driven into the river for they fled before our men the grenadiers of the 41st who were anxious to retrieve their character were very anxious to charge them but they ran before them so fast that they never could get up to them and went down what you might almost call precipices to get out of the way of our men What number of our men were lost I cannot say but there are few considering the time they were engaged I think we have lost about sixty men and only one officer which was poor General Brock Col McDonnell is dangerously wounded and several officers of the 49th are wounded but not badly The Americans I think must have lost more than a hundred and I am told several of their officers were killed at least six or seven Among those taken is General Wadsworth Cols Allen Van Ranselaer & Scott and some other Col,

When the Americans were first coming over about 80 who were in a scow were so galled by the fire from a few of the 49th Regt that they begged for quarter and were taken prisoners I saw a great many of the prisoners one half of whom are militia these were anxious to know and were in hopes of being allowed to go home as the militia taken at Detroit [were] but when they were told they would have to go to Quebec they were not very well pleased Had they had an idea of it there are not many of them would have put their foot on this shore I regret much that I could not share in the honor of the victory After my arrival at Queenston I was confined to bed with boils and was two days that I could not get up to my meals nor could I hardly sit up in bed for the worst of the boils and the last broke the day before they came over I was laying at George Hamilton's when we were first attacked and went from that to Robert's as well as I could there I remained about an hour but finding the Americans were gaining ground I thought that as I could not run that I should get out of their way if I could & went to a village about 2½ miles back[1] and from that I came down here to get arms for some men that were there

I have not time to write more & paper is so scarce that I can hardly get a sheet This I had to beg

The two flank companies of the Newfoundland Fencibles are on their way to Amherstburg I think there are nearly two hundred of them

(Dominion Archives Askin Papers, 1812)

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[1] St. Davids.

On the day of General Brock's funeral Charles Askin wrote a short letter to his father

Niagara 16th Octr 1812
Friday 3 o'Clock P M

Dear Father

I wrote you two days ago giving you an account of an action which was fought at Queenston on Tuesday last in which engagement we were Victorious but when I wrote you I did not know the great advantage we had gained over the Enemy we have took on that day nearly eight hundred prisoners sixty five of whom are officers and we killed and drowned I think about two hundred more we took one of their standards also and a six pounder it would have been a great Victory had we not lost our Gallant General Brock who was killed when animating the 49th Regt and desiring them to charge the Enemy who had just then taken our Battery on the Mountain soon after the General was killed his Aid de Camp Col McDonnell received a wound of which he died two days after he was a very promising young man—both him and the poor General were just now interred the procession was grand. The Indians formed a part of it—

We have had a Cessation of Hostilities for three days by Agreement it terminates in about an hour—but I hardly think we will be attacked for some days though they have a very large force on the other side I am told that many of those who came over were drove into the boats at the Point of the Bayonet I think that their comrades will be more unwilling to come over now

My love to my Dear Mother Brothers & Sisters if you please

(Askin Papers Burton Historical Library Detroit)

"Poetical Account of the American Campaigns of 1812 and 1813" printed at Halifax in 1815 by John Howe Junior* has become a very rare book Its dedication to "the People of Canada" is subscribed "An Acadian" It contains the following versified account of the battle at Queenston

"But soon the veteran band these wilds forsake
And speed their way down bright Erie's lake,
For there another army brav'd the shore
That in conjunction might have mov'd before.
But these rare Generals every one are free
Go where they like not where they ought to be.

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*Probably a brother of Hon Joseph Howe.

Over Niagara's flood this chose to go
Where he expected but a slender foe
Two moons had fill'd their horns while slow he paus'd
Canada's valiant shot some terror caus'd
They were deceiv'd thinking her baby frame
Would fall with fear—e'en at a Yankee's name
But finding more mature her nerves and strength
Cautious he stood—then on advanced at length
To where the narrows trace the opposing shore
And they could see that nothing stood before
Brock was not there—they were in perfect plight
To land and take the little town that night
Their chief Van Rennaselear—a rugged name
In story large and lengthy as his fame.
Why fam'd I hear you say? ay! why indeed,
Except for merit to obtain the meed
Long ere so beautiful a wreath was due
Or else as wreaths are scarce to steal a few
Be as it may—he cross'd at dead of night
When the young moon show'd half her borrow'd light
Before they left the shore a deep blood red
Glow'd o'er her face, with streaks of darkness spread
Thus pensively she cast a feeble light
O'er a long field with falchions gleaming bright
There the invaders stood and heard around
On every side the cataract's mighty sound
They paus'd and listen'd, not from any fear
'Twas but the cataract—not drums they hear
And on the General led his phalanx strong
Like midnight murder mov'd he slow along

But as they gain'd the border of the flood
Somewhat refractory his army stood,
All would not cross intreaties threats were vain
Down on the rocks they sat—and there remain
To learn what fortune those advancing found,
And good if victory their efforts crown'd.
Another evil ek'd out their delay
Fifteen longboats with oars, had gone astray!
But thus they remedy then ply the oar
And reach Canada's silent sleeping shore

The watchful sentinel the town alarms!
Quick the responsive drummer beat to arms
Canada's General—like a ray of light
A splendid meteor on the brown of night,
Advanc'd along ere day began to dawn
Or from his lair had sprung the sleeping fawn

Surprised the foe beheld him lead his band
And on the margin of the river stand
No power was left to fly—for on the shore
One half were landing—and the rest were o'er
Near where the whirlpool agitates the flood
Frowning with scorn the British heroes stood
And on the foes advance their vollies pour,
Tracking with blood the till then hallow'd shore;
Yet on the invaders came tho' Brock withstood
Their force with bayonets deep dy'd in blood
The treble number'd foe push'd on with zeal
And made Brock's bright and glittering rampart reel
And now conceive—while carnage mark'd the strand,
And drench'd with blood Canadia's hallow'd land
Conceive a patriot breast with ardor fir'd,
His firm strong nerves with energy inspir'd
A Briton panting for his country's fame
Anxious to strengthen her renowned name
Yet here in bondage held in galling chains
A mere spectator of the scene remains
Where hated enemies with pride rejoice
And rage must smother the resentful voice

How in the conflict did his heart rebound
How tremble at the shouts that rang around,
'Till victory to her son the laurel bore
To Brock the hero of Niagara's shore
Who made the fury of the battle's bray
Out roar the cataract's resistless way.
A pause ensued the voice of war was still,
The victor's tramp was silent on the hill
When slow and solemn came the heavy sound
That Brock was struggling with a mortal wound
The field he kept—till all his foes had fled
Then smiling death's cold mantle round him spread
The ground that just before wept blood for tears
Now wet with sorrow's drops forlorn appears,
The Indians laid their warlike belts aside
Their strings of wampum—and their martial pride
Near the pale corse these varied trophies lay
To tell their strength and pride had pass'd away
Silent they stood and gaz'd upon the bier
But heav'd no sigh, nor dropp'd one friendly tear
Renowned Chief—joy rest with thy remains
Virtue's bright current fill'd thy manly veins

Where could more glory dignify his name
Engrave him deeper on the lists of fame

He fell repelling the invaders' might
Restoring to the land his ravish'd right
In honor's cause the noble spirit fled
And her escutcheon glitters o'er his head

Say gallant shade as thy last blood distill'd
In sacred drops and yon rough basin fill'd
Say could thy pillow be more grand and dread?
Or more sublime thy winding sheet be spread?
Than there where nature all her power combines
To grace a canopy where fame reclines
Niagara's shore whose far resounding flood
Tinges its foam with thy respected blood
Whose hurried cataract and wave sublime
Laughs at the figure of diminish'd time
Where Iris weeps—and spreads her polished bow
Bedew'd with tears that to thy memory flow

Brock's mausoleum distant worlds shall tell
And paint Niagara where the hero fell
Time spurning flood—when nations are no more
Then will relate the tragic story o'er
And show that grave beside his on the hill
Where brave Macdonald holds his station still
For as in life—in fortune's hours they sped
So side by side are laid the heroes dead."

'October 1812." Pp 23 27

A memorial from Major James Dennis prepared by him at the end of the war contains considerable information respecting the battle of Queenston and other operations in which he was engaged not to be found elsewhere

His Honour Lieutenant General Sir Gordon Drummond Knight Commander of the Most Honourable Military Order of the Bath President Administering the Government of Upper Canada &c &c &c.

The Memorial of Brevet Major James Dennis 49th Regiment Major of Brigade to the Forces Quebec

20th March 1815

SHEWETH

That your Memorialist conceiving that a statement of his services in the Canadas & more particularly in Upper Canada might be deemed deserving Your Honor's consideration as well as that of the Honourable the Council of that Province

Humbly intreats your benevolent interest in his prayer and your recommendation that he may Obtain a grant of Land as a gratuity for the same—

Your Memorialist humbly states that he has served nearly Thirteen Years in both Canadas, between four and five years of which period he served in the upper Province, and nearly Two years and Six Months of the latter period, in a scene of Active and harassing Warfare and at a crisis of the late War, very important to the interests of that Country particularly when its very salvation was menaced by the attempts of the Enemy (which under the Direction of Divine Providence were defeated) on the 13th October, 1812.

That your Memorialist had the honor to Command the Post of Queenston for some weeks before, at the actual period when, and for some time after it was attacked by General Van Rancelar and the Americans, numerically triple in force, by the firmness, Zeal, and intrepidity of a few Royal and Militia Artillery, the Flankers of the 49th Regiment, aided by the Gallantry and Devotion of Captains Hatts, Chisholms & Durands Companies of Militia who rivalled the regulars in good conduct had the good fortune to maintain his position in spite of every effort essayed by an overwhelming force of the Enemy and previous to the arrival of the ever to be regretted Major General Sir Isaac Brock who (on the ground) was pleased to applaud Memorialists arrangement for the Defence and the conduct of the Troops in repelling the attack and Maintaining the Post of Queenston to a few moments before his lamented fate Major General Sir Isaack Brock was unaccompanied on his first arrival having dispatched his Aide de Camps to Hurry on the reinforcements which could be spared from Fort George and who afterwards (combined with those remaining of Mem'lists Command) for Mem'list again succeeded to it after our beloved general fell) and also by the intrepid conduct of the increased Number of Militia with the Indians Achieved in the after part of the day a glorious Victory the firm foundation for which was laid by the panic struck in the Enemy by nearly four hours constant and severe fighting against their superior Numbers from a quarter before four oClock on that memorable morning when the Troops under your Memorialists command destroyed between 300 and 400 of the Enemy took and sunk five large Batteaux and a large scow (called the Wasp of Oswego) and also took 97 Prisoners all before an Individual arrived to their Assistance and Memorialist presumes to be thus minute in detailing the Services of the Troops under his Command on that day that he may do them the Justice they deserve and that recapitulating their Efforts under your

Memorialists direction may be considered as an Humble plea for attention to the Object of his prayer[1]

Memorialist had also the honor of being in the Actions of Newark on the 27th of May and in that of Stoney Creek the 6th June following (1813) in each of which he had a horse shot under him, and Memorialist further had the honor of serving in several skirmishes with the Enemy while holding a command at the Cross roads on the position circumscribing the enemy when in possession of Fort George particularly one Sunday when field officer on duty, he rallied the troops and indians, retiring from the position of the advanced picquet, which a superior force of the American Indians and rifle men had obtained the possession of and with charged bayonets routed the enemy and reoccupied an Advanced position. Memorialist had also the good fortune to repell a Second attack in the Ev'g of the same day, which the enemy made on our Picquets (with [illegible] Indians & rifle men) for the purpose of enforcing a reconnaissance of our position at the Cross roads Memorialist had the honor to receive Major General Stewart's (then Col Stewart of the 1st Royals) thanks in the presence of Major General De Rottenburgh Major General Vincent and Lt Colonel Harvey Dy Adjutant General for the performance of his duty on that Sunday (Col Stewart then Com'g the Post) Your Memorialist during his services in the Country has commanded at the following Posts at St Johns & Dependencies (lower Canada) York for a short period during the absence of Lt Col Sheaffe Fort Erie 15 months (during peace) Fort George Queenston Chippawa St Davids 20 Mile Creek the latter Command the advance of the Centre Division by order of Major General Vincent, at the recommendation of Lt Col Harvey Dy Adjt General

Memorialist also commanded a corps of observation at Cornwall the Stores at which Post with 12 Batteaux laden with provisions & Stores for Kingston he was fortunate in withdrawing from the plunder of the force under the Command of the American Genl Wilkinson when he descended the St Lawrence in Novr 1813 Memorialist with an Unorganized ill found though high spirited and gallant Militia about 300 in Number took up a position (having destroyed the Bridge) near Hoople Creek in advance of Cornwall and engaged & for an hour and a half kept in check

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[1] A sketch of the battle of Queenston made by Major Dennis was reproduced in Volume VI of the "Papers and Records" of the Ontario Historical Society p. 76 redrawn, it is stated from a vignette on a small map of Upper Canada published by O G Steele, No 206 Main Street, Buffalo N Y., in 1820

(the day before the Battle of Chryslers) the advance Column General Wilkinsons Force thereby (as he has since been informed by American Officers & which a reference to Genl. Wilkinsons dispatch will Confirm) preventing General Wilkinson from sending assistance from his centre Column where he was himself—to reinforce the troops engaged next day with our Army at Chryslers as he was uncertain at which Point assistance Might be More Necessary—Memorialist although having but one Sergt and Private of his Own Regt and whom he was obliged to give up to the security of the Ammunition continued to Shew a fire from the different parts of the bush along the creek and created temporary respect from the enemy by a fallacious display of force that it induced slowness in their advance altho Amounting (at that Creek) to 1500 Infy & 200 dragoons with 3 Field Pieces which placing in position they attempted to dislodge us whenever fire was given and which after discovering the finesse they in course succeeded in it becoming an unwarrantable temerity to continue a contest on such unequal terms and which could only terminate with capture and slaughter of the peasantry of the Country without Effecting any profitable end a Night march of this same body of Militia in a few days after (Combined with the approach of our troops after the Victory won at Chryslers) induced the precipitate departure of the whole American Force from Our territory

Memorialist trusts the faithful display of his services will not induce the reflection that he is wanting in that modesty so commendable in the Military character that it is a fair effort to strengthen the picture for the sole faultless purpose of gaining attention towards his prayer and memorialist trusts it will not diminish his claim to express that the gentlemen and peasantry on the Niagara Frontier as well as those of Glengary & Dundas will bear sufficient testimony to the veracity of the particular services herein stated

Memorialist humbly adds that during his services in upper Canada he was twice wounded once at Queenston and again at Stoney Creek and never was an hour absent from his duties while serving for nearly 13 years in the Canadas

This statement taken into your honours gracious consideration and obtaining your recommendation for the grant of land solicited being bestowed will impress with strong feelings of gratitude Your Memorialist & devoted Obedient

& faithful

Humble Servant

J Dennis[1] B Major 49th Regt

Brigade Major to the Forces.

(Sundries Upper Canada 1815)

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[1] Afterwards Major-General Sir James Dennis, K.C.B.

Expectations of an immediate renewal of hostilities caused an urgent call for reinforcements to the militia on active duty. This was embodied in a letter from Lieutenant Colonel Thomas Clark to Charles Askin.

Sir
Chippawa Octr 23d 1812

The company of militia at Canberry & lower Haldimand of which you are captain being attached to the 2nd Lincoln Regiment under my command, I have now to order that you immediately march down here every man under your command as quick as possible. On their arrival here they will receive arms and ammunition.

(Dominion Archives, Askin Papers)

A letter from General Sheaffe to the Military Secretary shows that the exchange of officers was productive of some information of considerable importance.

Sir
Fort George 25th Octr. 1812.

I transmit herewith some intelligence recently obtained. That from Lieutenant Rolette is interesting as it relates to the designs of the enemy on our vessels on the lakes and the means for executing them. L. Colonel Myers sends to Colonel MacDonnell Lieutenant Rolette's report of the capture of the Detroit and other information relative to the Marine Department.

(Dominion Archives, C. 677, p. 143)

As soon as the death of General Brock became known at York, the resident members of the Executive Council were hastily assembled and the clerk was instructed to inform General Sheaffe that in succeeding him in the military command he had also become administrator of the civil affairs of the province. This was done in a letter from Mr. John Small in the following terms:

"As soon as intelligence was received of the death of the late President, General Brock, the Executive Council assembled on the summons of the Chief Justice, and I am directed to transmit to you, Sir, as succeeding to the command of His Majesty's Forces in this Province, the enclosed copy of the additional royal instructions of 13th July, 1811, and to apprise you that the civil government must remain unprovided until you are sworn a member of the Executive Council."

(Dominion Archives, C. 688 B, p. 129)

The opportune extension of the armistice enabled Sheaffe to comply with very little delay He announced this fact in a letter to Sir George Prevost dated at Fort George on October 19

After writing my despatch of yesterday I received a proposition from Brigadier Gen'l Smyth commanding on the United States frontier for prolonging the armistice indefinitely either party having a right to terminate it giving thirty hours notice to the other party to which I have acceded as it corresponds with the system adopted on our part and removes the obstacle of my going over to York—the wind has not permitted the departure of the second (and last) division of the Prisoners—but it seems now inclined to be favorable for it and they are embarking in the Moira and Simcoe to proceed for Kingston Lt Colonel Myers reports on the subject to Colonel McDonell [a]

"I am informed that Captain Loring[b] of the 104th Regiment (late Lt of the 49th) has arrived at Montreal I shall feel much obliged to Your Excellency to permit his joining me as he came out with the expectation of being appointed my Aide de Camp If my request cannot be granted I beg leave to recommend him to Your Excellency as well qualified for the staff appointment suitable to his rank should there be a vacancy

"I this moment learn that the Prince Regent is coming in—I shall embark in her without delay and proceed to York and as I intend sending this despatch from thence by land I shall close it there

(Sheaffe's Letter Book)

Sheaffe wrote again to Prevost next day from York

"I arrived here last night and found the Moira and Simcoe here the wind having forced them to put in

"The Executive Council assembled to day and I was sworn in as a Member of it and afterwards as President which I have communicated to Earl Bathurst in a despatch that accompanies[c]

"The Vessel that was supposed to be the P[rince] R[egent] proved to be the Royal George in which I came over That ship has taken on board the Prisoners that had been sent to this place and with the Moira and Simcoe has just sailed for Kingston The P[rince] R[egent] arrived here this evening and I shall return to Fort George in that vessel to-morrow."

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[a] Colonel Edward Macdonell Quartermaster-General

[b] Captain Robert Roberts Loring who afterwards became A.D.C to Sir Gordon Drummond and was taken prisoner at Lundy's Lane.

[c] Printed in "The Documentary History of the Campaign on the Niagara Frontier in 1812 Part II, pp. 142 143

(Sheaffe's Letter-Book)

Early in November, 1812, by the advice of the Executive Council, a board of magistrates was appointed by the President to examine persons claiming exemption from military service as citizens of the United States and consequently liable to deportation as alien enemies, consisting of the Honourable William Claus, Thomas Dickson and Joseph Edwards, to whom the following instructions were issued:

"Instructions from His Honor to the Board appointed at Niagara for the examination of persons residing in the Niagara, London and Western Districts who claim exemption from military service as being subjects of the United States.

"Having thought proper, in conformity with the advice of the Executive Council, to constitute you or any two of you to be a Board at Niagara to receive and decide upon the pretensions of persons in the Niagara, London and Western Districts who claim exemption from military service as being subjects of the United States, you will therefore receive all such applications and, being satisfied that the persons applying are subjects of the United States, you will furnish them with passports to cross the line at such place and in such manner as you may find expedient to direct. Should, however, instances occur in which it may appear to you that very serious injury may arise to such persons being settled and having families in the country who have not received lands from the Crown or taken the oath of allegiance, you may report the same to me, especially with your opinion as to the terms of a modified allegiance or security for good conduct on which they may be permitted to remain.

"Roger Hale Sheaffe, President."

A form of passport was appended:

"The bearer of this (person's name at full length) late resident in (name of District, &c.) having reported himself to us as a subject of the United States and we being satisfied that he is so, do hereby grant him this passport that he may be passed over to   from   and quit this Province on or before the day of

"Given under our hands at   this   day of

"N.B. A description of the person to whom the passport is given to be inserted at the foot or on the back thereof. The passport to be returned to the Board after it has been employed for the purpose for which it was granted."

(Dominion Archives, C. 688 E, pp. 155-6)

A letter from Alexander Hamilton, afterwards Sheriff of the Niagara district for many years, to Charles Askin, contains a sarcastic reference to the short lived newspaper published at Niagara after the demise of the "Guardian."

Dear Charles, 10 Nov. 1812.

Your note by Matthew Crooks came to hand yesterday morning but owing to my con[founde]d memory I did not send it with him. I now enclose you a Bee of the 31st Oct which is the last we have, that of last week partaking too deeply of the cup got drunk and died. I also send you a ten dollar association note.[a] Should you want more I can supply you very well being at present pretty flush. The Moira, Simcoe and Murney's sloop came in the other day loaded with clothes for the militia[b] and goods for individuals. There is nothing new by them. It is said they were to be sent back immediately to Kingston for 2 more companies of the 49th and I of the Newfoundland company which would be a great addition to our strength. They are so dilatory that the country might be taken & retaken two or three times before they would get back again.

(Dominion Archives, Askin Papers)

The armistice was terminated by a letter from General Smyth at Buffalo stating that it would end at one o'clock in the evening of November 20. This notice was given to the commandant at Fort Erie in the forenoon of November 19 instead of being sent to General Sheaffe at Fort George yet it was delivered to him at half past eight that evening. Next day Alexander Hamilton wrote to Charles Askin at Chippawa.

My dear Charles Nia[gara] 20 Nov 1812

Yours of this morning by Mr. Nelles has this moment come to hand. Respecting the notice given us of the termination of the armistice it is certainly the case tho I wonder you don't know it as it came from Fort Erie. Col. Clark does not seem to know it either which seems rather strange. We understand we are to open every battery upon them at this place the moment the truce is over. The whole country is in requisition at present drawing charcoal for to heat the shot. The plan is said to be to open every gun, shells, mortars, carcasses &c. &c. and continue the business until we get their fort in a blaze which if it should succeed which will be the means of throwing all their works which are fire-proof open to our view. Hamilton Merritt leaves this for Detroit with despatches and money for that place. I have just called at Dr. Kerr's for your salts but he has none and does not think there are any in town. Hacoe's and Baldwin's are the only shops now open. I enclose you two ten dollar notes. As I do not just now want them, they may be as well with you as me. I am happy to hear that the boards &c are mostly down and would be still happier to hear they were well sold. Everybody here are now busy sending off their furniture &c as it is generally believed we shall have it very hot and probably all a flame. I will endeavor to find some salts for you and salve before Mr. Nellis returns. Adieu perhaps forever in this world.

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[a] Probably issued by the Niagara and Queenston Association of Merchants formed to support the credit of the provincial government.

[b] Purchased at Montreal by Lieut. Colonel Nichol, Quartermaster General of Militia. Cf. Sheaffe to Prevost, 8 Novr., 1812, in Documentary History, Vol. IV, p. 186.

(Dominion Archives, Askin Papers)

Later in the day Charles Askin wrote in much the same mood:

Chippawa, Nov. 20th, 1812

Dear Father,

We have notice from the other side that the armistice terminates at 9 o'clock to-night. We doubted it at first but now there is no doubt of it and we expect an attack before to-morrow morning. I have given Elizabeth Meredith's miniature and some other things (that came from Archange) to Mrs. Macklem of this place to take care of. They are sealed and addressed to you. There is also some papers addressed in the same manner. I send up in a waggon a keg of snuff for my dear mother which she will give part of to my poor uncle & aunt Bertha. I shall also send up a few yds of bombazet for my aunt and a keg of butter for my mother, which I hope will get to Fort Erie in time to go up in the Lady Prevost. As we are all preparing to meet the enemy I have not time to say more. Please to give my kind love to my dear mother, to James, to Alexr, my sisters and all my relations & friends.

(Dominion Archives, Askin Papers)

With this letter went another longer one begun two days earlier but completed the same day.

Chippawa 18th Nov 1812

Dear Father—

Three days ago I wrote to you but did not find an opportunity until to day that I saw Capt Hall of sending the letter the Lady Prevost now laying at Fort Erie will sail from that with the first fair wind I will endeavor to send up 10 lbs. Tea which a man has gone to Queenston for to day that it may be up in time for the Vessel the snuff and Keg of butter if in my power shall go at the same time—but as I have been disappointed in get[t]ing the butter which I long since spoke for I may perhaps not be able to send up the Keg for being stationed here with my company of Militia I cannot leave this to go where I could get it I am also prevented from sending something to my Uncle Barthr for I cannot get such things as I would wish to send him here for being in daily expectation of an attack the Merchants have packed up most of their goods

On Friday last an attempt was made by the Americans to take the Royal George then laying at the Ducks near Kingston alone the Oneida a Vessel of equal force and four others were employed for the purpose but fortenately for us they failed in the attempt we lost one man killed and three wounded the Royal George cut her Cable and made for Kingston The Simcoe was there on her way down and was chased but luckily got safe into Kingston The Earl Moira was also on her way down but not in company with the Simcoe nothing has been heard of her but as she left York the day after the Simcoe she had not time to have got to Kingston when the express left The American Vessels are better manned I believe than ours on Lake Ontario and I am afraid unless some British Tars are sent for the enemy will make themselves masters of it I was told that Capt Hall had made application to go for seamen to Quebec but was refused. One of the inhabitants of this District who has been ever since the war on the other side made his escape a few days ago and came over near Queenston in a Boat he says the Militia have left the lines but that the enemy have about seven thousand regulars between Niagara & Buffalo. I do not think they have so many and if they have we have six thousand to oppose them and their regulars are not near so well disciplined as our flankers Clothing has lately come for the Militia the Flank Companies get 1 pr pantaloons each 1 pr shoes or two pr Shoe packs & 1 Jacket. Shirts and stockings are provided for them. For 3 yds of flannel and thread to make it they have to pay 5/6 N Y C. and the stockings which are very good cost them 4/4 a pr Yk. every militiaman is to have a blanket but they are to be returned.

James Hamilton who is stationed with Robert about one mile from this sent down to Queenston to day for Elizabeth Meredith's miniature picture which he brought out with him and left in his trunk there. I shall try and send it up to you by Ensign Kerr who appears to be a very careful young man and who has promised to take charge of it.

I have lately seen General Hull's official Dispatch to his Government respecting the surrender of Detroit, it is well wrote, and more correct than I should have expected it, although I dare say Mr Brush will swear there is not a word of truth in it when he sees it. I see in the same paper that Col Miller who was taken at Detroit is exchanged for Capt Dacres of the Guerriere. I am very sorry I have not been able to get the paper to send it to you. I have wrote to Alex. Hamilton to send me from Niagara any papers he can get and expect some from him to morrow which you shall have if they come. I will beg some from Mr Clark for you also. I gave you all the news in the letter I wrote you three days ago as I mean this shall go by land and may perhaps come to hand last. I shall just mention the most interesting things. Lord Wellington in several engagements with the French had allways been victorious and had destroyed the whole of Marmont's Army. Marmont himself had lost his Arm and afterwards died, the French lost immense numbers. Lord Wellington in one of the battles had got a slight wound with a Sabre. He entered Madrid I think some time in August. Joseph Bonaparte had made his escape but had not got out of Spain, we have had reports of his being since taken with the last of his followers about 7000 men but this I hardly believe, yet know that as we were masters of the North of Spain he stands a poor chance of getting clear. The French have been beat also in some encounters with the Russians and have lost three or four thousand men. this is all I now recollect except that it's said that Sir John Borlase Warren is sent out as Ambassador and is now at Washington, we shall soon know if he is or not.

Nov 20. Yesterday we had information here that the Armistice would terminate at 9 o'clock to-night but we are not certain of it. I send now to Fort Erie 7½ half yds Bombazet done up in a small bundle covered with Sheeting and addressed to you this I will thank you to give to my Aunt Barthe with my love

Please give my love to my Dear Mother my Brothers & Sisters & respects to my Uncle Barth

(Burton Historical Collection, Askin Papers)

When the privations and sufferings of the militia stationed on the Niagara became known at York the sympathy of the inhabitants was aroused and a meeting was called which resulted in the formation of the "Loyal and Patriotic Society" soon after for their aid and relief. The Reverend John Strachan, who took a leading part in its organization, wrote immediately on the subject to his former pupil John Beverley Robinson, who was still on duty with his flank company of the Third York regiment.

Nov. 22, 1812.

My dear John,

In consequence of a hint in the letters of Mr. G. Ridout and Mr. Robert Stanton to their respective fathers, the gentlemen of York met to-day in the church for the purpose of subscribing towards the comforts of the militia belonging to this district on actual service, especially the flank companies.

Our subscription though not yet paid amounts to £150 and we wish your and Captain Heward's advice how to dispose of it for the most advantage of the men. Your brother Captain [Peter] Robinson thinks that the captains of the York militia should make a requisition upon the Quartermaster General for flannel sufficient to make two shirts for every man that wants them and thread, &c., to make them up together with a pair of stockings for each and we will supply the captains with the amount. If there is any difficulty in making them up we can get it done here instantly. The militia will be much pleased when they know with what alacrity the subscription proceeded.

To Lieut. John B. Robinson, Brown's Point by Niagara.

The appearance of a dominating hostile squadron of ships on Lake Ontario in November caused serious alarm. An emergency meeting of the Executive Council was held to discuss the situation. It was clearly seen that the safety of the seat of government as well as the Niagara Peninsula and the western part of the Province was dependent upon the maintenance of naval superiority on that lake. An address to General Sheaffe on the subject was adopted unanimously and signed by the Chief Justice as chairman

"We trust that Your Honour will believe that the following observations proceed from the purest motives which we as a Committee of the Executive Council do now submit to your consideration

"We rejoice with our fellow subjects at the success which has hitherto attended His Majesty's arms but while reflecting with pleasure on the past we cannot conceal our anxiety for the future.

"By land our success has exceeded our hopes not so is our welfare on the lakes Whether this is to be attributed to inferiority of strength on our part to accident which the wisest and bravest can neither foresee nor prevent or to the inexperience of our naval commanders we presume not even to hint at an opinion.

"But altho our hopes have in some instances been disappointed nothing has as yet taken place to lead us to despair much to excite our active exertions If faith is to be given to report and that not slightly founded our enemies are using every effort to strengthen their marine on the lakes At this moment it is said they are building a vessel superior in force to any that has yet appeared on Lake Ontario The consequences that will necessarily follow from the command of the lakes being in the power of the United States would be distressing in the extreme to this province

"We speak from the strongest conviction we believe it would be fatal.

"But it is the farthest from our thoughts officiously to interfere with such measures as may be deemed expedient by those entrusted with command. We only as subjects and as men who have everything that is valuable and dear to them at stake offer our feeble aid by stating with the greatest deference and respect to Your Honour as President of that Board to which we belong our unanimous and solemn opinion that to strengthen our marine on the lakes is absolutely necessary under existing circumstances for the defence and preservation of this Province.'

"Novr 17th 1812 Thomas Scott Chairman"

(Dominion Archives, C. 728, pp. 113-4)

This address was sent at once to General Sheaffe who replied a week later from his headquarters at Fort George, where his attention was engaged by the recent resumption of active hostilities

"Your address is before me The subject of it is of vital importance to this Province. It has therefore an imperious claim to the attention of those who are guardians of the public welfare As such in making this representation you have performed one of the most essential duties which your public character imposed on you.

"The state of our Provincial Marine and the necessity for its improvement and augmentation are known to his Excellency the Commander of the Forces and have been the subject of communication to His Majesty's Ministers to whom it has been recommended to employ officers and seamen of the Royal Navy on the lakes and as it has become evident that immediate exertions are necessary without waiting for distant aid, I have no doubt that every effort will be made without delay to bring forward the resources which the British Provinces can furnish for counteracting the exertions and designs of the enemy in aid of which I am endeavoring to collect information from every part of this Province of persons who can be procured to assist in building or navigating vessels and of the materials and stores that can be furnished for their construction and equipment

"You truly observe Gentlemen that nothing has yet taken place to lead us to despair We have hitherto waged a successful war and with means that might have been justly deemed inadequate to the task which they accomplished. Providence has been on our side. Let us look with humble confidence to its continued aid I transmit to His Excellency the Governor in Chief a copy of your address."[1]

(Dominion Archives Sundries Upper Canada 1812)

Sir George Prevost had already given the subject serious attention as Sheaffe knew, but his means were limited and he was dependent mainly on assistance from distant sources.

On the first day of January, 1813 he replied from Quebec in as satisfying terms as he felt justified in employing to Sheaffe's appeal

"I have received your letter of the 16th of last month containing a report of Captain Grey's arrival at Fort George and Lieutenant Colonel Myers being detained there by indisposition.[2] My despatches to you of the 23rd November and of the 15th and 19th December will have made you acquainted with the resources I have been enabled to draw from Lower Canada for aiding in the execution of the plan which is proposed for the improvement of the Marine establishment in Upper Canada to such an extent as shall at least raise it to an equality with the enemy. By a reference to them you will perceive that I was duly sensible that assistance of an essential kind was to be drawn only from a source over which I am without control, and in consequence early application was made from me to the Government and the Admiral in command of the ships on the American station. I have every reason to believe our wants will be attended to from both quarters and with a promptitude calculated to add vigor to the exertions we are making for the preservation of the Province entrusted to your immediate defence. I agree with you in opinion that the construction of gunboats must become a secondary consideration. The general sketch of the plan proposed to be submitted to me by Lieutenant Colonel Myers respecting the increased establishment of the navy did not accompany the letter in which it is mentioned, but as you are armed with such full authority on that subject I trust nothing impedes its progress. The arrival of Mr. Plucknett[4] with one hundred and twenty ship carpenters and thirty seamen at Kingston, the departure under proper escorts of one hundred sledges laden with marine and ordnance stores from Montreal for Upper Canada, the assurance of receiving marine supplies from Halifax as early in the year as possible together with a proportion of naval officers and seamen, all these circumstances will convince the gentlemen of your Executive Council that I am duly impressed with the necessity of strengthening our naval force on the lakes, and at the same time as they are made acquainted by you with the measures in operation for their support you may assure your Council that I will fail in nothing that is within my ability for seconding their loyal and gallant disposition to defend and preserve entire the valuable province of Upper Canada.

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[1] See his letter to Sir George Prevost 23rd Novr., 1812 in Documentary History 1812, Part II, pp 229-230.

"Mr. Freer[5] will have made known to you the preparations which are making for the comfortable clothing of your militia. I regret that the total want of scarlet cloth has compelled me to consent to green being made use of for the

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[3] Myers and Gray were the officers of the Quartermaster General's Department who were then employed in superintending the construction of ships of war on Lakes Erie and Ontario.

[4] Thomas J. Plucknett, appointed storekeeper and superintendent of the dockyard at Kingston.

[5] His military secretary.

purpose. When the militia are clothed and paid the laws under which they were incorporated seem to me sufficient to enable you to establish for their government a system of discipline which may render that force very efficient against an American army.

I shall be glad to hear the result of your enquiry respecting Captain King[1] but without some decisive proof shall be brought against him to establish his being a British subject you will of course release him agreeably to the convention entered into between General Dearborn and myself for an exchange of prisoners a copy of which I have directed Mr Freer to furnish to you.

Since writing the above I have seen General Smyth's official account of the late attempt to invade Upper Canada[2] and Mr Porter's comments upon it.[3] From my perusal of them my apprehensions for the safety of the province are considerably diminished. Such a force cannot be considered as formidable and the force opposed to you as well as the officers commanding it are by their own confession of such a description as cannot but inspire you with the fullest confidence as to the result of any future attempt they may make against you.

"Mr Dickson[4] whose influence among the Western Indians is very extensive has lately made a proposal to me for a co-operation with them for the defence of Upper Canada. I have submitted the same to a board at Montreal of whom Major General de Rottenburg is the head and I have reason to think I shall despatch Mr Dickson to you for the purpose of accomplishing this object."

(Dominion Archives C. 1220 pp. 82 84.)

Freer's letter to Sheaffe dated at Quebec next day read:

"I avail myself of the departure of Lieutenant Colonel Bruyeres for Upper Canada to enclose to you an extract of a letter which has been written by His Excellency's orders to the Commissary General authorizing certain supplies to be provided for the militia of Upper Canada and it will be satisfactory for you to be informed that measures have been adopted for complying with that requisition and there is reason to believe that the several articles will be in readiness to be forwarded to you at the period stated, at the opening of navigation in the spring.

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[1] Captain William King of the United States army taken prisoner at Frenchman's Creek.

[2] See Documentary History, 1812 Part II pp. 287-291.

[3] Ibid. pp. 303-309.

[4] Robert Dickson the noted trader among the Indians of the Northwest a brother of William Dickson of Niagara and Thomas Dickson of Queenston.

"The clothing which has been approved of by His Excellency for the militia of Upper Canada consists of green jackets red cuff and collar and whitelows blue gunmouth trowsers and felt regulation cap."

(Dominion Archives C 1220, pp. 84-85.)

The resumption of hostilities had demonstrated the imprudence of permitting the departure of enemy aliens who might give useful information and Captain Loring addressed a letter on the subject to Colonel Claus and the other commissioners appointed for their examination.

"Gentlemen

"I am directed by His Honor Major General Sheaffe to communicate to you his wish for your assembling on some early day for the purpose for which you have been appointed, But as circumstances have so much changed since the date of the Proclamation under which you have been instructed to act, that the public safety may be endangered by granting Passports to the extent which was then contemplated, His Honor desires that you will report for his consideration, the cases of all claimants of Passports and that you will suspend the granting any until he shall have decided thereon."

When cold weather set in desertion to their homes by the militia on the frontier increased to an alarming extent and active measures were taken to bring them back. Captain Charles Askin addressed the following order to his Lieutenant, Christian McDonnell who was then apparently on leave at his own home in Haldimand.

"On the receipt of this you will immediately go with Wm Kerr & Alex. Lymburner and with them take every deserter from my company in your neighborhood. David Merritt's pass will be out when you receive this and Miner Chambers's also. You will get them to assist if necessary if not you must tell them to return immediately. You will inquire if Kerr's family are sick or not. He and Lymburner can bring three or even more prisoners. You will hasten down here for you are wanted very much. I shall expect you on Monday next. You will pass through Canborough on your way to this and assist Mr Canby in taking and having some deserters now at that place sent down.

"Near Chippewa Decr 4th 1812."

(Dominion Archives, Askin Papers)

General Sheaffe described the situation as he appreciated it in a letter to Sir George Prevost dated at Fort George on December 9

"I have to apologise to Your Excellency for the omission of intelligence from Colonel Procter when I dispatched my letter of the 4th inst.[4] to which it was referred to. I now have the honor of transmitting it. Appearances on the other side agree with the accounts we have lately received. There are few men to be seen. The weather is cold for the season, but as yet there is but little snow.

"The desertion of our Militia has increased since the beginning of this month but I expect the voluntary return of many. I hope that the rigor of the season and the state of the River will soon permit my authorising at least for a time the absence of a large portion of the Militia. When a bridge of ice shall be formed between us and the enemy it will require all the force we can muster to afford a chance of maintaining our position and indeed the whole will probably be inadequate to the task of preventing occasional predatory incursions. Some days ago a twenty four pounder (from Detroit) that had been remounted on one of the Batteries opposite to Black Rock burst but fortunately did no other mischief than wounding Captn Kerby slightly in the hand. The Gun has been replaced by an 18 pounder. A vessel having the appearance of one of the Enemy's gun boats was seen yesterday morning about 10 or 12 miles to the Eastward near the American shore. A bitter north west wind was blowing last night and still continues. She has probably run back to Sacket's Harbour.

"The weather has not permitted a communication by water with York since the 21st of November and it is now deemed prudent to lay up the Prince Regent there. Colonel Vincent has adopted the same opinion respecting the Royal George and Moira at Kingston that it would be attended with too much hazard to allow them to sail he therefore proposes laying them up there in which he does not foresee any disadvantage. There will at least be some inconvenience in their being separated from the naval depot and they run more risk from the Enemy at Kingston. I shall impress on Colonel Vincent the necessity for taking every precaution for their security."

(Sheaffe's Letter Book)

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[4] See Documentary History of the Campaign on the Niagara Frontier in 1812, Part II, p. 276.

Charles Askin continued to write to his father at intervals giving him fairly full information of recent events

Mountain Near Queenston Dec 11th 1812

Dear Father

Your affectionate favour of the 28th Ulto. came to hand the night before last I am surprised to find by it that very few of the letters I have wrote you since I have been down here have reached you the one giving an account of the Battle of Queenston went up in the Lady Prevost with some others and some newspapers and I fancy you must have got them before this John & William Robertson were both in the Battle and newspapers and I fancy you must have got them before this John & William Robertson were both in the Battle and distinguished themselves William particularly who behaved as gallantly as any one engaged that day Robt Hamilton & Alexr were in it also but only in the afternoon and Alex. could not take an active part in it for he could not ride nor hardly walk on account of boils therefore remained or went with Capt Holcroft who was cannonading the enemy when crossing the River I had been laying confined to my bed three days before the action with boils and so ill with them that part of the time I could not even Sit up in bed to eat my Victuals I was at George Hamiltons when the attack was made and had to get off as well as I could I remained a short time in Queenston but finding the enemy were getting the better of us I went away to avoid being taken prisoner an account of the battle is in one of the newspapers I sent you therefore shall defer saying anything more about it at present Soon after an armistice was concluded which did not terminate until the 19th Ult Our Batteries at Fort George the day after its termination opened on Fort Niagara and a cannonade was kept up all day some houses were burnt on the other side & about as many at Navy Hall we lost two men Capt Fry a half pay Officer and a Soldier of the 49th Regt and I believe the enemy lost but few Some shots were fired from Queenston over to Lewiston but not returned from that day we were quiet enough except now and then a false alarm until the 28th Ult when 500 of the Enemy came over from Black Rock and landed near the Ferry below Fort Erie about 1 o'Clock in the morning most of them unobserved they fired on our men at the Batteries who had only time to spike the Cannon and make their escape after defending themselves but resistance was useless against such a force some of the Regular Artillery were killed and some wounded Mr King was severely wounded and taken prisoner and is since dead about 40 of the 49th Regt and some Militia attacked the Enemy and drove them once or twice but at last met with a party from Fort Erie who were coming to our support but not knowing in the dark friends from foes they fired on each other Mr Lamont of the 49th Regt was badly wounded with three balls he commanded a small party of his Regt but the Americans were among them and were supposed to be Indians for they all wore blanket coats and looked so much like them in the day time that I am not surprised our men were deceived by them at night The light company of the 41st Regt who were stationed on the river below the place of attack met the enemy when marching up to aid the 49th they did not know they were the Americans until the word of command was given make ready take aim the Officer commanding the 41st then attacked them (they were the advance guard of the Enemy) and he drove them back on their main body The 41st then Retired until day light for it was impossible to know your friends from your foes At daybreak the Enemy had all retreated and crossed the River except Capt King Aid de Camp to General Smith & 35 men who were taken prisoners a party of Sailors composed part of the force who came over, these Scoundrels set fire to some houses of Mr Douglass's & Mr Hardison's which were burnt to the ground these fellows had to make a precipitate retreat some were killed and others taken prisoners. We lost nearly eighty men killed wounded & those taken prisoners the prisoners have since been exchanged the 49th & the long Point Militia suffered most After day light the Enemy made an attempt with seventeen boats to come over we had then about eight hundred men ready to receive them and when the boats came within musket shot we poured such a brisk fire among them that the foremost boats cried out for Quarter but as it was impossible to stop the Militia from firing on them they all turned back A three pounder was playing on them all the time and giving them plenty of Grape or Cannister shot. What number the Americans lost in this attempt to cross is not known but the boats were full when they were coming to this side and only five, six, or seven were seen to get out of most of them when they reached the other shore. In this and the Affair during the night the Enemy may have lost about two hundred men. After their failure a large force was seen to collect and upwards of fifty boats scows &c were filled with men horses and artillery all ready to come over (the enemy it has since been ascertained were then 7000 strong) General Smith then summoned the Garrison at

Fort Erie to surrender but an answer was sent him to say that we would not think of surrendering the place as we could repel any force he could bring against it and we only had then about fifteen hundred men at the place and hardly a Cannon to fire at them which the Enemy knew and they had at least 16 field pieces and those very fine ones Immediately after he got the Answer instead of coming over he disembarked all his troops. Its said that part of his Army were so disgusted with him that they endeavored to kill him and three shots were fired at him, one thing seems certain that he had to fly from his Army this we have from our prisoners who have returned from there an inhabitant of the Head of the Lake who made his escape from that side from Capt Fitzgerald who was over with a flag of truce and saw two thousand of his Army paraded for him and that hundreds were returning home All the Militie Volunteers are gone and the Army of the Centre as General Smith is pleased to call it was reduced by desertion & death from seven thousand to three thous[an]d. I Saw one of this cowardly General's Proclamation lately he has the impudence to call Upper Canada part of the United States Its a good deal like Hull's but not quite so barbarous This General Smith was to do so much when he came that he allmost alarmed us but he proves to be even worse than Hull. We have been quite on the alert since the business at Fort Erie and as the desertions and sickness has been vary common among the Militie our force is much reduced and the duty has become very hard both on the officers and men who remain We have lost a number of Militie Men by the Pleurisy they are taken vary suddenly and very violently ill and often die in eight or nine days Numbers of women in the Country have died also lately and what is strange you hardly hear of a Regular soldier being sick but they are used to fatigue and are well clad which is not the case with all the Militia but clothing is now given to the flank Companies some articles for nothing & some at a very low rate We have a most Gallant Young Officer here Col. Bishopp who commanded at Fort Erie the day General Smith pretended to come over He does everything he can to make the Militie comfortable and does not mind a little expense he has already ingratiated himself in their favor and he is as much liked by them I believe as General Brock was We are in great hopes of soon having a peace everything seems nearly settled between Sir John B Warren & Mr Monroe I think the Oxen had better be sold to Mr Bensh at the price you mention for I should not know what to do with them here.

"Please give my love to my Dear Mother my Brothers & Sisters

"I am your dutiful & Affectionate son

Charles Askin

John Askin Esq
near Sandwich

"Please thank Alex for me for the sword he was so kind as to send me. I sent up a few things this fall which I hope you will receive by the Lady Prevost.

"P S I have been stationed with my Company at & near Chippawa I am now on leave of absence for a few days & am spending them here with John Robertson & to morrow I must return to my Duty John Robertson desires his best regards to you."

(Burton Historical Library Askin Papers)

In a letter to Hon Paul Hamilton Secretary of the Navy Commodore Chauncey described the success of his efforts in delaying or preventing the transportation of reinforcements and supplies from Kingston to Niagara which had caused so much privation to the troops defending that frontier

"Sackets Harbor 9 Dec 1812

"Confidential

"Sir

"On the 8th inst I sent a flag of truce over to Kingston with Mr Murney late owner of the sloop Elizabeth My real motive in sending this flag over was to gain information of the strength at that place which consists of about 600 of the 49th regiment and nearly 1000 militia They also can call in 2000 militia in 24 hours notice That part of the Glengary regiment (say about 500) which was at Kingston at the time I made the attack upon the Royal George finding that they could not get up the Lake by water have marched to York by land The Royal George Earl Moira and a schooner all loaded with military stores and clothing for the Army & Indians at Fort George have made four attempts to escape from Kingston since the 20th of November but upon seeing our blockading squadron have run back They have now relinquished all hope of getting up this winter and have in consequence discharged the stores &c and laid up their vessels I therefore hope to have the pleasure of conducting them into Sackets Harbor before they get another chance to get up the Lake It is also a satisfaction to know that we have prevented the Enemy from sending to Fort George and the posts on that part of the Lake the clothing and arms that his troops may require this winter Mr Vaughan[1] could not learn that the enemy contemplated an attack upon this place this winter on the contrary they appeared to apprehend one from us

"The information contained in this letter was obtained from an officer on board the Royal George who Mr Vaughan had known for several years and who is friendly disposed towards us; it therefore may be depended upon We shall be prepared here at all events to give them a warm reception if they should make any attempt upon us this winter"

(Captains' Letters Navy Department MSS Washington)

The apparent discomfort and discontent of the militia determined General Sheaffe to relieve a considerable portion of them from active duty by relays This was announced in a letter from Lieut Colonel Cecil Bisshopp to Lieut Colonel Clark.

"Fort Erie Decr 13th 1812.

"It is Major General Sheaffe's desire that all the militia be sent home One of the flank companies of the 1st 2d 3d & 4th Lincoln Regiments be permitted to return home for the space of a fortnight then to return to relieve the remaining companies of each of those corps.

"One of the flank companies of the Norfolk and York Regts will likewise be allowed to go home but as these are at a greater distance from home than the others they will not be expected to return till three weeks have elapsed from the day of the departure of each company from its quarters An alarm post for every company is to be established at a point most convenient to assemble at for returning to their quarters.

"A gun is intended to be placed on the hill near the entrance of Lundy's Lane to give the alarm if necessary by three discharges at intervals of five minutes.

"Particular care is to be taken of the arms and ammunition which the men are to take with them and be responsible for under the superintendence of their captains who with their subalterns are to inspect them once a week by squads one for each officer either at the men's houses or assembled at some central convenient spot for the men composing it The barrack or other articles that may have been issued for stationary use to the companies going home are to be delivered in at the nearest post to the proper persons for receiving them whose receipts are to be taken for them in duplicate one of which is to be transmitted to Lt Col. Nichol Q M General.

---

[1] William Vaughan a local sailing master see **Lossing's** Fieldbook of the War of 1812 p 368

"This arrangement is to be carried into effect as quietly as possible to avoid the observation of the enemy

"Private instructions to the foregoing effect are to be given to the commanders of corps & companies and means are to be taken for carrying them into effect immediately unless there be any obstacle of sufficient importance to justify their being suspended

I have the honor to be Sir
Your ob't serv't
Cecil Bisshopp
"Lt Col Clark Lt Col Inspt Fd. Officer
"Comdg 2nd Lin Militia.

On the other side is the list of the Flank Companies that will go home till the 28th Inst then to return and relieve the others of their respective Regts.

Likewise the companies of the 2nd York and Norfolk that are to remain till the 4th of Jany

Capt Nelles's company will march to Ft Erie as well as Capt Applegarth's to-morrow morning

"To go home till 28th inst	To remain till 28th inst
"2nd Lin Capt Hamilton	Capt Rowe
3d Lin Capt Warren	Major Warren
"4th Lin Capt W Crooks	Capt Nelles
"5th Lin Capt Hatt	Capt Durand
"1st do Capt. Js Crooks	Capt McEwen
"Till 4th Jany	Till 4th Jany
"2nd York Capt Chisholm	Capt Applegarth
"1st Norfolk Capt Bostwick	Capt McCall
"2nd do Capt White	Capt Rapalgee

(Dominion Archives Askin Papers)

Next day Charles Askin wrote another long letter giving further information of recent events

Dear Father "Near Queenston December 14th 1812

"Your affectionate favor of the 26th Ulto I had the pleasure of receiving a few days ago and partly answered, but could not go to Niagara therefore missed an opportunity of sending you an answer by the return of the Mail I luckily met with one of Lord Selkirk's men from Baldoon who is kind enough to take charge of this and says he will leave it at Dolson's for you as also of another letter I gave him to day which I wrote you two days ago in which I have given you an account of an affair which took place on the 28th Ulto at Fort Erie in which we suffered severely but our Enemy much more and the business terminated much to our honour and in such a manner as to convince the American Nation that Canada is not to be conquered in such an easy manner as they imagined. General Smith sent a Summons to the Comg Officer at Fort Erie on that day to surrender that Garrison and its Dependencies he then had seven thousand men under his Command at Black Rock and Buffaloe and we had but fifteen hundred at Fort Erie to oppose him part of them Indians and part Militia but an answer was sent him by Col Bishopp (a very Gallant Young Officer just from Spain) that he could not think of doing it as he had sufficient force to repel any force he could bring over. Gen Smith then had a part of his Army embarked in sixty boats scows &c ready to come over and we were ill prepared to receive him which he knew very well for most of our Cannon had been spiked by a party of his men or our own that morning when the party from the other side came and surprised our men in the Batteries but Gen Smith had not courage enough notwithstanding all these advantages to attempt to come over and immediately on receiving the Answer to his Summons disembarked his troops. Some of his men Yanky like wanted to know from him what he meant by his Maneuver but he would not condescend to tell them & this gave them such Offence that three or four shot it is said were fired at him and he made his escape. One thing is certain that he is gone but (as great a Coward as I think him) I hardly think he has left the Army in the shameful manner he is said to have done. He is one of the most Violent Generals I think that has been opposed to us this War. If poor Hull is hung for Cowardice I think there is not many of their Generals but should share the same fate. General Van Ranselair I think was a good Officer but he was too liberal and too much of a Gentleman to please his Country he was obliged to give up the Command and General Smith superseded him.

I am sorry to say the Naval Department on Lake Ontario have done nothing to boast of this War and the Americans unless other Officers & Crews are got for our Vessels will make themselves masters of that Lake next Spring. Some Merchant Vessels have been taken in Sight of the Royal George by small armed American Vessels and no exertion made to save them or rescue them A Lieut of the British Navy arrived yesterday at Niagara who I believe will have the Command of One and some others I believe with a Crew from Halifax are coming and four Vessels are ordered to be built two at Kingston and two at York there is no doubt that the Enemy will try every means in their power to make themselves masters of both Lakes Ontario & Erie

"No troops I believe are yet on their way here, though it has been frequently reported there were except twenty of the Royal Artillery and an Officer who I believe are now on the road between Kingston & this they are much wanted here for though we have 2 Companies of Militia Artillery on the lines its not enough and men from the 41st & 49th have sometimes to Assist in Manning the Guns Some troops I saw in a Montreal paper to day are on their march from Halifax to Quebec under the command of Lt Col Hamilton of the 100th Regt what number it is not said

"I saw English papers as late as 25th Augt there is hardly anything said about the War with the Americans and I only see an account of one Regt going to Halifax, I think its the 97th though there are lists of the reinforcements going to Portugal & Spain the papers nearly filled with accounts of Lord Wellington's great Victories in Spain & Portugal A prayer has been ordered to be used throughout the United Kingdom of Eng[land] & Ireland thanking the Almighty for our Successes in Spain particularly for the Victory over the French at the Battle of Salamanca No more titles can be given Lord Wellington than he allready has for he has Spanish & Portugese ones enough to fill half a sheet of paper nearly I believe they are now at a loss to know what rewards to make him for his splendid achievements.

St Regis a small Town in Lower Canada which was taken some time ago by the Americans has lately been retaken by us & a company of Americans were lately taken at a place called River Sable by a party of Militia,

"General Dearborn the Commander in Chief of the American Army its said is going against Montreal with 16 000 men they have not many troops in Lower Canada, yet I fancy General Dearborn will meet with a warm reception if he goes there. There are two Regts raised in Lower Canada since the War one called the Voltigeurs & the other Voyageurs there are fine active Canadians in each

"We are flattered notwithstanding the preparations we are making for War with hopes of a speedy and honorable peace Sir John B Warren is said to be at Washington and all differences between the two countries is settled except the Naturalization of British born subjects who come to

America respecting this our Ambassador and Mr Monroe cannot agree.

I am sorry it has not been in my power to pay the Auction Acct but intend to pay it before I get the prize money,[1] for I do not know when if ever I get any. I am anxious to pay Mr Pattinson[2] the money I borrowed of him last Summer. I have been disappointed in getting money here otherwise I would have done it before this. I wish Alex. to pay what he owed me to Mr Pattinson & hope he has done it if not beg that he will now and send me a receipt of it. Mr Brush[3] gave a draft on me favour Doctr Day or Mr Eastman & cannot recollect which for the hundred dollars which he lent Major Chambers. This draft he begged me to accept which to oblige him I did at Detroit. The draft was lost in the Caledonia or Detroit so Doctr Day and Mr Eastman have both wrote me and both of them have requested me to pay it but I have never received the money yet from Chambers tho it has been ready for me a long time, indeed I could have had it any time when I pleased to call for it but seeing no one authorized to receive it I never got it of him. The Money I think I will get now & send it to Mr Brush on his giving me a proper receipt for it mentioning every circumstance respecting the transaction that I may not hereafter be liable to pay the money & have to suffer for wishing to oblige him & his friends that Day. I would like to let Mr Brush have his grey mare at the price he sold her to me for I have more horses than I know what to do with. A receipt from Mr Pattinson will be all I want for that amount & I will then send her to him but he must pay the charges of her bringing up if any. I could sell her but wish him to have her again as he appeared partial to her.

"Elizabeth Meredith's Miniature picture I have got but do not like to send it now.

"Please give my love to my Dear Mother, my Brothers & Sisters.

"Your dutiful and Affectionate Son
Charles Askin

"P.S. I wish it was possible to get the pistol you lent Mr Pattinson.

"to John Askin Esqr
"Care of Matthew Dolson Esqr
River Thames—Sandwich."

(Burton Historical Library, Askin Papers)

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[1] Awarded for the capture of Detroit.

[2] Richard Pattinson, a merchant at Sandwich and a member of the Legislative Assembly for Essex, 1812-1816.

[3] Elijah Brush of Detroit, husband of his sister Adelaide.

An official return has been preserved of the casualties of the Second Lincoln of which the flank companies and a considerable portion of the rest of the regiment had been on service since the declaration of war had been announced

"List of men belonging to the 2nd Regiment of Lincoln Militia who have been wounded or have died since the 26th of June last

Stephen Peer	Wounded at Queenston Oct 13th since recovered
Morris Derrick (or Detrick)	
Charles Cook	Shot through the thigh at Fort Erie 28th Novr recovering slowly
Gershom Conger	Died since 28th Novr
John Clark	
*David Tallan	
*Gabriel Smith	
John Gallipo	
David Bouck	
Daniel Millard	
*Hyre Waters	
*Daniel Hickson	
Benjamin Skinner	
Orman Ensign	
William Brooks	
Colin McCallum	
John Hodgkins	
James Stevenson	
Peter Wright	
*Lewis David	
George Couch	

"Note—The names marked with a (*) were single men the others were men with families

"Chippawa Jany 1st 1813

"Thomas Clark Lt Col 2nd Lincoln Militia"

HC
N

"Ducit Amor Patriae"

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 44

RECORDS OF NIAGARA

A Collection of Contemporary
Letters and Documents

January to July
1813

Collected and Edited by
BRIG.-GENERAL E. A. CRUIKSHANK

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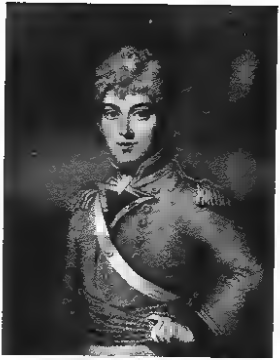

LIEUT.-COLONEL CECIL BISSHOPP

(*See Page 70*)

PRINTED FOR
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EDITOR'S NOTE

The documents printed, nearly all for the first time, in the following publication, like those in its immediate predecessors, have been collected from several widely separated sources. A few have been transcribed from rare contemporary newspapers. They will be found, it is hoped, to throw considerable interesting light on local history.

RECORDS OF NIAGARA
No. 44

1813

From General Sheaffe to Sir George Prevost

A letter from General Sheaffe to Sir George Prevost written at Fort George on January 6th throws considerable light on his situation at that time when winter had put an end to active operations

"I have received this day a communication from Dy Commissary Genl Couche of which I have the honor of transmitting a copy[1] The issues of Provisions have considerably diminished in this District and will remain some time much below their late amount At York and Kingston they will continue to be at least as great as they have for some time been owing to the increase of the Marine establishment at those Posts At Amherstburgh it appears probable that the consumption will be increased during this Winter as many sources of supply that the milder season furnished to the Indians will no longer exist The several Corps and Departments in this Province have been compelled to apply to the Commissariat for pecuniary aid it not being able to obtain money from any other source

"As the pay of the Militia and other Provincial expenses have been furnished by the Commissariat and it probably not being regular that such monies should be finally accounted for through it it may be necessary to establish some mode whereby the Province should be made accountable for them through its proper officer the Receiver General I request your Excellency's advice and instructions on this Head as it appears to be of importance that a plan to regulate such matters should be speedily adopted for the simplifying and facilitating the settlement of the public accounts

"I propose going to York in the course of a few days the passage of the River being impracticable[2] and likely to remain so for some time

"It has been suggested to me that two or three Battalions might be formed in this Province if encouragement were given by a promise of land &c. A proposition has been made to me by a Major of Militia,[1] to raise a Corps of 2 or 300 men in York and its vicinity and increase it by enlistments elsewhere to 5 or 600, not to serve out of the Province but in such cases as it may legally be required of the Militia I beg leave to submit this subject to your Excellency's consideration with the hopes of being honoured with an early intimation of your opinion thereon and of the principles on which you would recommend and approve of the formation of such a Corps It is thought by some that the enlistment of a Militia man is prohibited by the 23rd Article of the Militia Act passed the 5th of last August but such a construction appears to me to be controvertible"

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[1] See also Documentary History 1812 Part II p. 334.

[2] The Niagara River for an invasion

"I shall not urge the necessity of a considerable reinforcement to this province as it must be sufficiently obvious to Your Excellency that it will be required to resist the augmented force which the enemy will probably direct against us and to aid in protecting our dockyards from the early attempt which will no doubt be made on them to defeat our efforts for establishing a naval superiority"

(Dominion Archives C 117, pp 1 5)

Prevost's Reply

The inevitable delay in the transmission of most important letters in the winter is shown by Prevost's reply written at Quebec on January 21

"The Montreal mail which arrived this morning brought me your letter of the 6th inst and its enclosures The attention of the Commissary General has been called to the papers relating to the provisions and he will give such directions as may be expedient to his deputy in Upper Canada as to the means to be adopted by him in procuring the supplies to meet your wants in this respect

"The Military Secretary's letter of the 3rd inst will have conveyed to you my ideas on the subject of militia disbursements & the propriety of an appointment of a Dy Paymaster This communication will probably have reached you at York where you might be enabled to supply that officer

"I presume your removal from your Dist Hd Quarters to York is with an expectation your presence at the seat of government would accelerate the accomplishment of the civil concerns of your command I sincerely hope you may not experience disappointment but be enabled by the good disposition of your Legislature speedily to return to your post with additional means of repelling the designs of the enemy against Upper Canada. I consider the suggestion for raising two or three battalions in the province of Upper Canada with encouragement of the promise of lands which might be recommended by you to the Secretary of State, to be confirmed by H.R.H. the Prince Regent, to such as engage under those expectations as a judicious measure. These corps would be literally incorporated militia serving under the militia laws & not to serve out of the province except as provided for by that act. As an inducement to promote the formation of such corps the Legislature would no doubt accede to a certain sum being allowed each man as an outfit to provide some articles of necessaries not to exceed £5 currcy. It has been proposed that a sum not exceeding £3 shall be given in this province for the outfit of each militiaman required for service in the next summer. It is very desirable that the corps should not be encumbered with field officers from the militia, but that intelligent and active captains from the line, possessing discretion and skill, should fill those situations. I am aware the execution of such a plan may be attended with great difficulties notwithstanding the incontrovertible benefit arising from it to the service, therefore I only suggest the measure trusting to your judgment for the execution of the whole or part of it according to the disposition of the people you have to deal with.

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[1] Major Titus Geer Simons of the 2nd York

My last communication will have made you acquainted with the extent of the reinforcement I can send you consistent with the safety of other parts of my command. I trust that with this, the addition of a well organized militia and the assistance of the Indians, you will feel yourself enabled to maintain all your positions from Cornwall to Detroit and Michilimackinac and to bring a second campaign to as honorable a termination as you did the first. I readily assure you that if His Majesty's Government increase my means of defending the North American Provinces in the spring I will send you a full share of whatever arrives. Since the winter roads have become practicable no intermission has taken place in forwarding to Upper Canada supplies of every description for land and lake service.

(Dominion Archives, C. 1220, pp. 118-9.)

From Col. Claus to Sir John Johnson

A letter from Colonel William Claus to Sir John Johnson, the Superintendent General of Indian Affairs, shows that there was considerable discord between the officials of that department and military officers which could not fail to be detrimental.

Fort George 7th Jany 1813

Dear Sir

The enclosed letters one from Mr Ironside of the 9th of Dec covering one from Colonel Elliot to him dated 17th Nov & Col Elliot's to me of the 20th Dec last ought to have been sent earlier but circumstanced as I am I find it difficult to get through. As you will perceive by Elliot's letter to me that he has been much disappointed in the assistance that was promised his situation has been particularly hard he has been constantly and actively employed since the war & I am sorry to say that notwithstanding his every exertion that situated as our Dept is we are subject to the orders and whims of every subaltern officer in the service. His long service & age did not screen him from being called out but what he very properly treated as he should. It was on the first expedition to the Miami when fault was found with him for not ordering the Indians to do what was thought by the officer they should do & no direction left to the Indian officer I have understood (for Elliot has never reported the business to me) that the Indians were expected to obey orders the same as soldiers & because they did not they and their officers were a set of damned useless people. It is much to be desired that Sir George Prevost would place us upon some footing so as to put us out of the power of every officer by this I do not mean all officers in the service but give us some rank so as to prevent us being subject to the orders of young officers. You will perceive by Elliot's letter that there have been representations against the Indians on the Fort Wayne expedition. Gen Sheaffe tells us nothing has come to him. Should anything have been said below I hope his request will be urged by you to have a hearing and then we shall be seen in our true light & the world will know that if it had not been for the determined conduct of the Indians that perhaps the Province would not now be in our possession. The bearers of this are seven of the 6 Nations who go to see the Seven Nations of Canada to talk over old affairs and renew their friendship. By them I send a message to the 7 Nations reminding them of their promise to my Father of their fidelity to the King when he had the care of them & to encourage them to be of one mind & also to inform them of the message we received from the Western Indians that they had joined the King in the war against the Americans that their eyes were fixed on all Indian Nations & that any one that held back would hereafter be remembered and cut off.

"I am so badly off in stationery that I cannot have a fair copy made of the enclosed letters. The paper I now write on is begged from Mr. Powell, my neighbour, a little remaining of his stock & the pen I got this day from Capt. Loring. We have not received any stationery for these last five years. We have a very unhealthy season, a complaint prevails that carries off the patient in 5 or 6 days. I am sorry to tell you that poor Cardotta died of it last night, a loss I shall much feel. I was going to send him off to St Joseph. Our stores are all but empty, pray send us anything you can. We look and hope for a strong force in the spring & have nothing to give. No doubt but an attack & that a very formidable one will be made on this attack & that a very formidable one, will be made on this frontier in the spring. I would wish very much that you would interest yourself on behalf of Elliot, who is the worst paid man in the two Provinces. He has but £100 a year for his services for without serving he would have his half-pay, £100 which he sacrificed by accepting of the appointment.

My papers as well as everything else are in such a confused state that I can seldom lay my hand on any letter & I do not know whether I have wrote you since the affair of the 28th Nov last. On the appearance of the enemy moving I sent Major Givens Lt Chew & three interpreters with a number of Gd River Indians & Chippewas to post themselves near Fort Erie & Capt Norton with some more of the Gd River Indians & Chippewas to be ready to act either the right or the left of our lines. Major Givens Indians who were encampt about 6 miles below Fort Erie were in time to act & were of great use & behaved well. They kept up a very warm fire on the boats & must have done great execution as they got to the water's edge & took deliberate aim every shot. In that affair my friend Lt King of the Arty was severely wounded and made prisoner. He was shot down at his 6 pounder & the port-fire knocked out of his hand. I have been over to the Black Rock twice to see him. My last visit was on Thursday & I am happy to say he is likely to do well & I mean going over in about a fortnight to bring him over. Every kindness is shown him but they are badly off for every comfort for an invalid. We have lost several valuable Indians with the prevailing distemper a kind of pleurisy, a violent pain in the side & head.

"With sentiments of esteem & regard I am Dr Sir

"Yours most faithfully

"W Claus."

"The Hon
Sir John Johnson Bart
(Claus Papers Copy by Miss Catherine Claus)

From Commodore Chauncey to Sir John Johnson

After having laid up his ships on Lake Ontario for the winter in Sackett's Harbour and provided for their defence Commodore Chauncey went to Buffalo to arrange for the construction of ships of War on Lake Erie. A small ship yard had been constructed at the mouth of a creek flowing into the Niagara River below Black Rock, where several merchant schooners were being converted into gunboats. From Black Rock he wrote a letter to the Secretary of the Navy on the 25th December 1812

"This frontier is left with less protection than its importance requires from this place to Lewiston a distance of about 24 miles there is not a single sentinel There is about 300 of the 14 Reg stationed at this place the rest of the army have gone into winter quarters 11 miles back from the river[a] therefore if the enemy should think proper to cross spike all the guns and destroy all our stores there is but little to prevent them I am erecting a Block House near the vessels with a view to their protection and the stores belonging to the Navy Department which I hope to preserve Notwithstanding we are assured by the Military the people upon this frontier place so much more reliance upon the protection afforded to them by the seamen than the Military that if any circumstances should make it necessary to remove the seamen this part of the frontier would be immediately deserted."

(Captains Letters Navy Department MSS. Washington)

From Commodore Chauncey to General Sheaffe

He wrote on the same day to Sheaffe apologizing for the misconduct of some of his seamen in the recent incursion and proposing an exchange of prisoners.

Upon my arrival at this place" he said "I was mortified to learn that a party of three sailors had crossed the River on the 28th ulto and burnt two houses the property of individuals This act I assure you Sir was done without the knowledge of the Naval Officers then commanding on this Station and the men have been made sensible of the impropriety of their conduct

I will also assure you that as far as in my power to prevent no similar act shall be repeated by the men under my Command.

---

[a] At Williamsville

"I understand that these Seamen were taken on the morning of the 28th ulto in company with some Soldiers and are now Prisoners at Fort George. I trust Sir that you will not hesitate to let these men return when I assure you that I hold Colonel Vincent's receipt for Captain Brock[3] and the officers and crews of the Mary Hatt and Elizabeth[4] taken by the squadron under my command upon Lake Ontario in Nov last and who were sent to Kingston immediately after upon their Parole. Lieut King[5] is in a way of recovery. I will send him over upon his parole the moment he can be removed with convenience to himself."

(Sheaffe's Letter book.)

Sheaffe's Reply

Sheaffe's reply from Fort George on 4th January 1813, courteously declined an exchange of seamen until he received further instructions.

"I have the honor of acknowledging the Receipt of your Letter of 25th Decr. Brigadier General Smyth soon after the burning of the two houses to which you allude thought proper to explain in a Letter addressed to the Commanding Officer at Fort Erie, by what means that act had been committed and to declare his disapprobation of it. I receive with great satisfaction the assurance of your participating in his sentiments on the occasion.

"I regret that it is not in my power to accede to your Proposal for the release of the American seamen taken on the 28th November. The Treaty for releasing on their Parole and for the eventual exchange of Prisoners entered into between General Dearborn and Sir George Prevost, not providing for such a case I must wait for authority to liberate those men. It is not however to be expected that more Prisoners will be sent over from hence on their Parole until the Officer Commanding the United States Forces on the Niagara Frontier shall have performed on his part what remains to be done for the completion of the exchange of those who have been returned by us on their Parole. For Captain Brock I have no doubt that a Captain of the United States Army has been released. If the officers and crews of the Mary Hatt and Elizabeth have not been exchanged it will be necessary that

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[3] James Brock, paymaster of the 49th Regiment, a brother of the General.

[4] Canadian merchant schooners.

[5] Lieut. Charles King of the Royal Artillery.

[6] See Documentary History 1813, Part II p. 246.

I shall be furnished with their names and with authority from His Excellency Sir George Prevost to enter into a negotiation for their exchange on which I shall without delay apply for instructions.

P.S. I beg you will accept of my thanks for your pleasing account of Lieut. King and for your assurance of sending him over on his Parole when he can be removed with convenience. The name of the officer of similar rank of the U.S. Army now on Parole may be sent with him for their mutual exchange.

(Sheaffe's Letter-book.)

From Commodore Chauncey to the Secretary of the Navy

From Black Rock Chauncey went to Erie in Pennsylvania where another ship yard had been established and the construction of gunboats begun. From that place he wrote to the Secretary of the Navy on the first day of January, 1813.

"I arrived here yesterday and found that Mr. Dobbins had commenced the building of four gunboats, two of the frames was already raised and the other two nearly ready. These boats are too small to cruise upon this lake and the two that are the most forward are in a state I cannot alter them; by the other two I have added ten feet to their length which will make them safe vessels.

"Mr. Dobbins has already expended three thousand dollars—he sent me a copy of his instructions in October last. I then wrote to him not to commence building untill he heard further from me upon the subject; he however states that he never received that letter which was the reason that he commenced the boats without instructions.

"These boats will not be ready to launch before the middle of April, there is but few carpenters to be got here and most of these are house carpenters. I have however ordered three good ship carpenters from Sacketts Harbour to this place which will enable Mr. Dobbins to progress with the work pretty fast untill the Spring when I will furnish more workmen.

"The Harbour of Presque Isle is large and capasons (sic) and would be a fine rendezvous for our vessels on this lake if there was more water on the bar which unfortunately only admits vessels drawing from 4 to 5 feet. Yet in my opinion it is the best and indeed the only place we can build at. The situation is healthy and good accomodations may be procured for the workmen and the place can be easily defended.

"Before I leave here I shall inform myself of the resources of this part of the country in furnishing materials for building and equipping vessels for war; my present impression is that it abounds with fine timber and iron and cordage may be procured with facility from Pittsburgh."

(Captains Letters Navy Department M S S Washington.)

From Chauncey to Secretary Hamilton

Returning within a week from Erie Chauncey wrote to Secretary Hamilton from Black Rock on January 8.

I arrived here from Erie yesterday and found things much as I left them The vessels at this place purchased for Acct of the Navy Department (four in number besides the Caledonia) are in that state that they cannot be removed until we have possession of the opposite side of the river I have therefore determined to procure materials at Erie this winter to build a brig of about 300 tons to mount the guns of the Oneida upon her The cost of the materials will not be great and can be sold with little loss if not wanted. I shall be in a situation in the Spring (if we get the vessels out of this river) to build the brig in the course of a few weeks which will enable me to seek the enemy upon this Lake Unfortunately Lieut Elliott (from the best motives however) had the decks of the vessels at this place taken up for the purpose of entering into a more extensive alteration than I wished or contemplated. Soon after the carpenters got at work the enemy commenced a fire upon the place which induced them to break off and return to New York the consequence has been that the vessels still remain in the state in which the carpenters left them in Oct last that is with their decks and sides all tore up. I have not deemed it advisable under all circumstances to do anything to them this winter as the weather is unfavorable and the days are short consequently the men would work under disadvantages that will be removed in the Spring Moreover I do not wish to incur expense that may prove useless for unless we get possession of the other side these vessels can be of no use to us consequently any repairs put upon them would be thrown away I have however contracted for all the stuff requisite to repair them to be delivered here this winter and in the Spring I shall be in a situation to complete their repairs and mount their guns in a few weeks if there should be a prospect of gaining the opposite shore if there was no other obstructions the ice in this River would prevent our getting into the Lake before the first of June and as I shall be able to get out of Sackets Harbour about the first of April I contemplate bringing all the carpenters from that station to this by water which will give us an abundance of time to fit these vessels or build the Brig at Erie or both as circumstances may require

"The vessels here have been hauled into a small creek in rear of Squaw Island where they are safe from the ice and the shot of the enemy and I am erecting a Block House to mount four guns on the top besides musquetry near the vessels which will enable our men to protect them completely even if the enemy should attempt to cross over with an intent to burn them Both officers and men have suffered very much this fall and winter for the want of quarters they have been lying about in the woods in small huts made of the leaves of trees ever since they arrived on this station and Lieute Elliott and Angus have not been able to procure quarters for them the consequence has been that we have lost many by sickness and a number by desertion I am only astonished that so many have remained true to their Country under all the privations which they have suffered I am in hopes to get both men and officers into comfortable quarters by the 15th inst as the building for their accomodation is now under cover and will be ready I think by that time to receive them when they all will be more happy and more healthy The wounded officers and men are doing very well Midshipman Graham has suffered an amputation of his leg.

"I am making arrangements for collecting all our stores into one building which are now distributed in almost every direction for twenty miles around owing to the great confusion which has prevailed upon this frontier ever since the war

"I have been induced (as I informed you by a former communication) in consequence of losing the services of so many officers by death and wounds together with the conduct of Lt Angus to appoint Midshipmen Dudley and Holdup to act as Lieutenants which I hope you will approve of

"I hope to be able to arrange my business on this station so as to leave here for Sackets Harbor next week from which place I will write you the state of my command there

(Captains' Letters Navy Department MSS Washington)

From Col. Claus to Major James Givins

The messengers appointed by the Six Nations to solicit the co operation of the Indians in Lower Canada who apparently made the long journey on foot were provided with letters to the resident agents of the department at York and Kingston to facilitate their march To Major James Givins the agent at York Colonel Claus wrote

Fort George 16 Jany 1813

"Sir

"The bearers seven men of the Six Nations are Messengers to the Seven Nations of Canada you will give them what assistance you can in provisions

"I wrote to you a few days ago enclosing a letter to Mr Askin[a] at Mackinac should no opportunity offer very soon trusty Indians must be sent as an answer is very soon required."

(Claus Papers, Copy by Miss Catherine Claus.)

From Col. Claus to Capt. John Ferguson

His letter to Captain John Ferguson the agent at Kingston was more urgent

Fort George 17th Jany 1813

"Sir,

"The bearers 7 men of the Six Nations are on a mission to the Lower Province you will please give them every assistance in your power in provisions & should any of them be taken sick on the road, you will furnish them with a paper requesting of the Inhabitants to assist them with a stay from post to post. As we have no station lower than Kingston, Genl Sheaffe has written to Col Vincent to give them letters to the different Military posts between Kingston and Montreal to supply them with provisions."

(Claus Papers Copy by Miss Catherine Claus)

From Col. Claus to Prevost's Secretary

Colonel Claus having informed General Sheaffe that interest had become due upon the money derived from the sale of the lands of the Six Nations on the Grand River, which had been invested for them in England he brought the matter to the attention of Prevost's military secretary in a letter from Fort George on January 17

"I am directed by Major General Sheaffe to transmit to you the accompanying Letter from Colonel Claus Dy Supt Genl of Indian affairs and to request that it may be laid before His Excellency the Governor in Chief

It is impracticable to obtain the money in this Province to satisfy the claims of the Indians. It has been due to them several months and even if cash could be got for Col Claus's bills as Trustee a loss would be sustained owing to the rate of exchange that Government it is conceived would not allow to fall on the Indians. Major General Sheaffe therefore begs to propose for His Excellency's consideration that the sum of be remitted to the Dy Commissary Genl. about five hundred of which to be in silver and the remainder in the smaller army notes to be paid into the hands of Colonel

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[a] John Askin Jr storekeeper for the Indian Department at Mackinac and St Joseph

Claus for his Bill for that amount as Trustee for the six Indian Nations."

(Sheaffe's Letter book.)

From Capt. Loring to the Military Secretary

As the local stores were no longer able to supply the soldiers with the small articles needful for cleaning and mending their clothing and accoutrements General Sheaffe recommended that they should be furnished in future by the commissary officers. Captain Loring wrote on the subject to the military secretary from Fort George on January 25.

"Major General Sheaffe has directed me in reference to an order for the officers to procure supplies of necessaries for their men from the Lower Province, to request that you will lay before His Excellency the Commander of the Forces the suggestion that supplies of clothing and necessaries for the Troops here may be sent up by the Commissariat to be issued. Major General Sheaffe is induced to propose this measure from a conviction that the procuring the articles necessary for the soldiers comfort from so great a distance particularly at this crisis would be attended with much more difficulty and even risk than the Individuals commanding companies could be enabled to surmount or bear the heavy responsibilities of."

(Sheaffe's Letter book.)

From Charles Askin to His Father

The tranquility of the Niagara frontier was scarcely disturbed during the winter months by even a rumour of hostility. On the second day of February Charles Askin wrote a letter from the head of Lake Ontario which is here transcribed.

"Dear Father

"I wrote to you three or four days ago and enclosed some newspapers to you which I left at Queenston to be forwarded from that. I have still one left which I shall now inclose in which you will see the famous General Smyth's Official Despatch respecting the battle at Fort Erie which is one of the most ridiculous things I have read for a long time past.

"I was much rejoiced to hear of the great Victory obtained over the Enemy at River Raisin. From what I have learnt General Harrison is supposed here to be on his way to Detroit. Some troops have left Buffaloe some time since to reinforce his Army. It's a great pity we have so few regular troops here that we can spare but a Very small number to assist you above, one hundred and forty of the 41st Regt passed this on their way to Amherstburg to-day. I am afraid no more are going up for some time

"I am now settling all my business so as to have my affairs in such a state as to be able to leave home (if necessary) for some months without suffering much by it.

"I find I have an acct in my books against James and another against Alex, both of which I now inclose. I think I owe Theresa something. I shall make her acct soon and send it to her, probably James may not owe me although I have nothing in my books to his credit. I cannot recollect now how I paid him the difference between the value of Eclipse & the Colt I gave him, but he may remember. I should like to know if any of the Cider sent down belonged to him and if he has any acct against me.

"Mr Robert Dickson arrived from Lower Canada three days ago, its thought that he is to have Command of a large body of Indians—the latest news we have from below is that the French were obliged to leave Moscow

I inclose Poudrie's note and Thomas Collins' which I have found among my papers

"Please give my love to my Dear Mother my Brothers and Sisters and believe me to be Dear Father &c

(Burton Historical Library, Askin Papers.)

From Gen. Sheaffe to Sir George Prevost

The pay and maintenance of the militia called out for the defence of the province was a charge upon the provincial treasury which had long since been drained and large advances had been made by the Deputy Commissary General to meet the most urgent demands for civil as well as military expenses. These were ultimately met by drafts upon the Military Chest which it does not appear were ever repaid by the province. A letter from Sheaffe to Prevost written at Fort George on February 8, shows the comparatively large sum required for these purposes

"I have the honor to acquaint you that the Dy Commissary General has handed me a statement for the several sums advanced by him to this date for Provincial Services in Upper Canada amounting to £25,000 Army Pay. I am therefore to request that you will be pleased to grant your Warrant to that amount in favor of the Receiver General of the Province. And as a further sum will be required immediately in aid of the civil chest, I beg you will be pleased also to grant another Warrant for £12,000 Army Pay and that the Commissary General may be directed to forward the amount to the

Receiver General The average Provincial expenses arising out of the War with the United States may be stated in ROUND sums as follows

Amherstburg and Detroit	£ 2,000	per	month
Long Point	500	"	"
Fort George and Dependencies	5,000	"	"
York	800	"	"
Kingston	2,000	"	"
Prescott & Eastern District	2,000	"	"
Total	£12,300		

Exclusive of Rations of Provisions"

(Sheaffe's Letter book)

Letters from Colonel Procter

Letters from Colonel Procter commanding at Detroit and Amherstburg contained a very urgent appeal for a small reinforcement which in fact was already on the march and disclosed an alarming situation In the first of these he said

"If you do not send me as many as will replace those who are in consequence of the affair of the 22d (at the River Raisin) unfit for service I mean of the 41st Regt very serious Consequences may follow the Enemy's advance which should be expected and immediately We shall do our duty but that will not save the Country tho it may our Credit"

In the second letter written three days later he announced that the hostility and treachery of some of the inhabitants of the Michigan territory had induced him to take most drastic measures to enforce obedience

"To preserve the Territory therefore" he said "I found myself under the absolute necessity of declaring Martial Law therein I have also found it necessary to order some of the more suspicious and turbulent characters to quit the territory among whom are some British subjects They will proceed to Fort George under an escort and there will be at your disposal tho I shall take upon me to make some remarks respecting some of them

Among these persons deported from Detroit were Chief Justice Woodward who had been retained in office and Colonel Elijah Brush of the Michigan militia whose wife was a sister of Charles Askin

Captain Loring wrote from Fort George on February 12 to Colonel Baynes the adjutant general

"I am directed by Major General Sheaffe to forward to you the two accompanying Letters from Colonel Procter to gether with a copy of the Resolutions of a Party of the Inhabitants of the Territory of Michigan, referred to by him.[1] The Papers were brought express by Mr. Mackintosh who who met Mr. Dickson and Captn. Norton on their route to Amherstburg, and was informed by them that about a hundred of the grand River Indians were assembled and ready to march. He afterwards stopped at the house of Mr. Chew of the Indian Department by whom an express was sent for those Indians to proceed immediately to Amherstburg and directions have been sent up for as many more to follow them as can be assembled. Orders have been likewise forwarded by Lt. Col. Bostwick of the Oxford Militia, who happened to be here, for the Middlesex, the Oxford and Norfolk Regts. of Militia, to march immediately under Colonel Talbot to reinforce Colonel Procter.

"Major General Sheaffe desires me to say, that he does not deem it prudent to detach any farther portion of the Regular force from this line, the Enemy being in great force and there being a bridge of ice between us. The Militia of this District are called in."

(Sheaffe's Letter book.)

From Charles Askin to His Brother-in-law

Naturally Charles Askin took considerable interest in the fate of his brother in law who seems to have received better treatment than his fellow prisoners. On February 23 he wrote from Queenston to his father:

"I wrote to you on Monday last by Mr Gain in answer to three letters I lately had the pleasure of receiving from you. Mr Brush is still here. The other Citizens of Detroit are in Niagara and are hardly allowed the liberty of walking the Streets. I am happy to say the behaviour of Mr Brush has been different and he has had the privilege of coming up and going down from this to Niagara when he pleased. I have staid here several days on his account tho I was anxious to get home. I believe I shall go to day. Alex Hamilton will do any thing he wishes therefore he will be at no loss when I am gone. I have paid Mr Brush sixty one dollars for you which he says was the amount of the 4 Doobloons you got of him and I have paid John Meldrum[2] twenty dollars for Alex. which I must beg he will return to me as soon as possible as I am very much in want of money the remaining thirty dollars which Alex Owes Mr Meldrum he should pay to some of his friends at Detroit I suppose to his Wife or his Father. The detention at Niagara of these people from Detroit will be attended with a great deal of expense to them but it will teach them to behave themselves a little punishment will do them no hurt.

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[1] See Historical Collections of the Michigan Pioneer and Historical Society Vol XV pp 141-2

[2] One of the prisoners.

"We were for some time in great hopes of seeing General Harrison and his Army here * but from what I can learn I do not think he will be ready to come forward for some time to Detroit and its probable he will not dare to advance at all.

"We see no troops opposite this and I believe the enemy have not many in Fort Niagara.

"Col. Proctor & Col. Vincent are promoted and are both Generals now.

"I am sorry to say Lt. King of the Royal Artillery died yesterday morning at Black Rock or Buffaloe of the wounds he received in the action on the 28th Novr last. he was an active and gallant officer."

(Burton Historical Library Askin Papers.)

From Capt. Loring to the Commandant at Kingston

A letter from Captain Loring to the commandant at Kingston written at York gave orders for the deportation of the two most favoured of these prisoners while the others seem to have been detained as prisoners of war some of them being sent to Quebec for confinement.

"I am directed by Major Genl. Sheaffe to inform you that on the arrival of Colonel Brush American Prisoner of War and Mr. Woodward the late Chief Justice of the Territory of Michigan at Kingston (who proceed from hence escorted by Lieutenant Johnston of the Canadian Regiment the bearer of this Letter) they are to be crossed over to the American shore together with their Horses should they require to take them this however I do not imagine will be the case as they are now endeavoring to dispose of them."

(Sheaffe's Letter book.)

From Lt.-Col. Bruyeres to Sir Geo. Prevost

After having visited the Niagara frontier for a few days, Lieut. Colonel Bruyeres made a careful report upon its defences to Sir George Prevost which was written at Kingston on February 13.

"I would have written to Your Excellency from Fort George to report the state of that frontier" he said "but the extreme illness of Major General Sheaffe during the time I

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* As prisoners of war

was there prevented my communicating with him on business until two days previous to my departure in order to obtain his approbation and concurrence for the measures of defence which I proposed to adopt for the defence of that line.

"The work at Fort George is in a very ruinous and unfinished state; fortunately the line of curtain opposite the American shore was completed last fall and has been the means of protecting the troops during the severe cannonading that took place at that time. It will be indispensably necessary to complete this fort as a field work as soon as the season can possibly admit of removing earth to form the parapet of good sod work of sufficient height and thickness to resist battering from the opposite shore. It will further be very desirable to diminish the line as much as possible by cutting off the present work on the south-east front in order to reduce the extent of the Fort which is rendered very weak by enclosing too large a space of ground; it will then become much more compact and defendable; at the same time it will decrease the labor and expense necessary to its construction.

"Major General Sheaffe has approved of the manner in which this work is proposed to be done which I will have the honor to more fully explain to Your Excellency on my arrival at Quebec. Splinter-proof barracks to contain about 400 men will be required to be constructed in the rear of the curtaine to secure them from the effects of shot or shells. Stabling for the artillery horses with barracks for the drivers and Royal Artillery must also be provided within the fort. The present blockhouses are so much exposed that it will be necessary to take down and remove the upper story of these buildings and to lower the whole to the level of the proposed terre pleine. They will then be sufficiently secure to contain the ordnance and commissariat stores for the use of the garrison. The powder magazine can only at present be made temporary, constructed of log work well covered with earth. The public buildings near the river at Navy Hall should all be removed as soon as possible and rebuilt in a place of security at some distance from and in rear of the fort. The stores they contain and the buildings themselves are so exposed to immediate destruction that no delay should take place in this service. Gun sheds are required for the car brigade and field guns in the fort. An hospital for the troops to be built out of range of the enemy's guns in rear of Fort George to consist of four wards for one hundred patients with a surgery and surgeon's quarters is strongly recommended and applied for by the medical department; the sick and wounded are at present accomodated in a church[1] within range of the opposite batteries.

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[1] St. Mark's.

"There are six detached batteries containing eleven pieces of ordnance of different natures between the lake and Fort George; four batteries with five pieces between Fort George and Queenstown. Two batteries with two guns on the mountain at Queenstown. Two batteries with three guns at Chippawa. Three batteries with three guns opposite Black Rock below Fort Erie. This number of detached batteries may at first sight appear superfluous and unnecessary, but the commanding positions that each of them occupy are so very essential that it is not possible to diminish or reduce them without making the point so reduced the place for debarkation for troops. The only object necessary to be accomplished is to secure these batteries with a strong line of palisades in the rear to guard against surprise or sudden attack. This would have been done last fall but regulars and militia were so constantly harassed and employed to protect this extensive line that they had not a man to spare either to prepare the palisades or fix them. Small temporary magazines constructed of log work covered with earth to contain each a few barrels of powder are required for the service of these batteries. I have directed these magazines to be immediately constructed and the batteries to be enclosed.

A tower or small redoubt to command the entrance of the river is essentially necessary to be erected on Missassagua Point.

"It is also requisite that the work at Fort Erie may be continued and completed as early as the season will permit. Altho' liable to some objections it will in my opinion be the most expeditious and best system to finish what is already begun than to take up a new position. The battery to protect the front may be constructed with sod work, the guns to be mounted on traversing platforms and elevated as much as possible to guard against the commanding batteries on the opposite shore. A magazine will be required within the fort which may in the first instance be built with timber in a temporary manner that no delay may take place to secure the powder.

"Accomodation is very much wanted for the troops on this part of the Communication, particularly officers quarters; so many of the houses on this line have been destroyed by fire that it becomes a very serious deprivation and quarters must be built to lodge the men. Splinter proof barracks must be constructed within the fort similar to what is proposed at Fort George. The number of men for the defence of this line must indispensably be augmented to afford any reasonable expectation of maintaining the positions on this frontier. The distance from Fort George to Fort Erie is thirty six miles

Twenty-eight miles of this distance is accessible and favorable to disembark at any point from the opposite shore. I have arranged with Major General Sheaffe relative to the most material of the services herein mentioned."

(Dominion Archives, C. 387, pp. 15-18)

Militia Orders

General Sheaffe had been disabled for several weeks by serious illness but had sufficiently recovered to go to York for the opening of the winter session of the provincial parliament. He was still much enfeebled and his mind was dulled by disease. Sir George Prevost made a hasty journey from Montreal in a sleigh as far west as Fort Erie inspecting the troops and fortifications and even "visiting the advanced positions which the solid state of the ice at the northern extremity of Lake Erie had rendered it indispensably necessary to establish to prevent those incomplete & open batteries from being surprised or taken in reverse."[1]

Movements of troops on the opposite side of the Niagara actually caused so much alarm that it was considered necessary to call upon the militia to reinforce the troops on duty.

"Head Quarters, York, 16th March, 1813.

M. G. Orders.

"His Honor Major General Sheaffe is pleased to direct that the five Lincoln and the second York Regiments of militia are to furnish with all possible expedition three companies each for duty on the Niagara line.

"Agreeably to the new militia law there will be one captain, one lieutenant, one ensign and three sergeants to each company and it is not to exceed fifty rank and file. The commanding officer of each regiment and the other officers whom he may find necessary to call on for the purpose are enjoined to use every exertion for the assembling and march of these detachments to the nearest point of the frontier.

"His Honor Major General Sheaffe being determined to notice with the utmost severity any neglect or disobedience which at such a juncture may endanger the safety of the province but he trusts that the spirit which rescued the country at Detroit and at Queenston still so generally and powerfully prevails that it will save His Honor from the painful task of censure and leave him nothing to bestow but praise and commendation

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[1] Prevost to the Duke of York, Quebec, 20 March 1813, C. 1220, p. 238.

"By order

"Æneas Shaw

"Adjt Genl Militia"

(Dominion Archives Militia Papers M D 32)

From Col. Vincent to Sir Geo. Prevost

Active hostilities began with a lively artillery duel between the batteries on opposite sides of the river at Black Rock and near Fort Erie on March 17 and the companies of the Second Lincoln and Norfolk Regiments of militia which had been stationed along the shore of Lake Erie as far up as Point Abino were hurriedly marched down to resist a landing which was supposed to be imminent but was not attempted

Colonel John Vincent commanding at Kingston, was transferred to Niagara to command the division on that frontier with the local rank of brigadier general He was well known to many of the inhabitants from being previously stationed at Fort George and possessed their entire confidence and esteem

Soon after his arrival there he projected an assault upon Fort Niagara which he believed could be easily taken but this was disapproved by Sheaffe as being contrary to the strictly defensive policy advised by the governor

"The last information of the Enemy at Niagara states their number much lower than it had been supposed to be," he wrote to Prevost from York early in April "Two hundred are said to form the Garrison of Fort Niagara. This intelligence has encouraged Brigr General Vincent to propose a plan for an attack on it with four hundred men for which purpose it seems that more boats are required than we can at present command besides it was thought a necessary part of the plan to employ the aid of Indians in its execution It appears to me that such an operation if we possessed the means of effecting it would not accord with the principle adopted by yr Excellency with regard to Sackett's Harbour as communicated in yr private Letter of the 18th March which has arrived since I began this Letter

(Sheaffe's Letter-book)

List of Tavern Licenses

A list of licenses issued for conducting taverns and shops in the Niagara District contains several familiar names

"Account of the tavern licenses issued in the District of Niagara between the 5th Jany and 5th day of April 1813

April 5th

John Knox
Thomas Powis
James Bunting
John Smith
John Daley
William Wynn
Robert Waddle
Peter Welch
Paul Shipman
William Terryberry
John Emery
Mary McBride
Samuel Swayze
John Palmer
Edward Brady
James Henry
Charles Anderson
John Hefley
William Vanderlip
Abraham Markle
Frederick Anchorn
Nathan I Fowler at £3 each

Total amounting to sixty-six pounds Halifax

Isaac Swayze

Shop Licenses

John Young
Francis Crooks
John Dorman
John Grier
William Crooks
James Crooks
John Elbert
Daniel Shnnek
Elijah Secord
Andrew Heron
John Baldwin

(Dominion Archives Sundries U.C 1813)

From Lt.-Col. John Warren to Major-General Shaw

A veteran officer in the militia who was also commissary at Fort Erie found it necessary to resign his commission and was succeeded by his son John Warren Junior

From Lt Col John Warren to Major General Shaw

Fort Erie 7th April 1813.

Sir

The duties of the Commissariat at this post since the commencement of the war have increased near ten fold and require every attention that myself and two assistants can give The rapid decline of my health for the two months last past had put it out of my power to attend to the station that I hold in the militia with that strictness that it requires I am therefore constrained to request that my resignation of Lieutenant Colonel of the 3rd Regiment of Lincoln may be accepted

(Militia U C 1813)

From Charles Askin to His Father

Charles Askin diligently collected news for his father's information On April 23 he wrote to him from "Mountain 3 miles from Queenston

"I have long anxiously wished for an opportunity of writing you to return thanks for the loan of seventy five dollars you were so kind as to send me by Mr Pattinson the receipt of which relieved me from small embarassments which the loss of the hundred dollars last winter would have thrown me into but I sincerely hope you have suffered no inconvenience by sending me that sum or I shall regret having got it

"I had the pleasure of receiving a few lines from you some days ago desiring me to send up Eclipse[1] which I will do as soon as he is in a condition to perform the journey and that I have a good chance of sending him Forage for horses is hardly to be got there has been so much consumed by the Field Officers horses Dragoons Do and the horses of the Carr Brigade and not so much hay cut last Summer as there used to be in other years for many were doing duty as Militia men and lost most every thing they had but this has been the case at Sandwich as well as here Flour is 10 Dollars per barrel which I think is low considering the times I see in a newspaper an extract from a Boston Paper which says that every barrel of flour sent to supply Harrisons Army cost one hundred and twenty dollars when delivered to the Government of U.S. I believe it must be very expensive getting flour to where his Army are stationed, but still do not think it can cost so much.

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[1] A riding horse.

"The American Government have accepted the Mediation of Russia and the Ambassador from the Country on his arrival in the United States was well received. An American Officer who came over to Niagara two days ago with a flag of Truce says that an Express had gone to Sir John Borlase Warren, who has power to treat with them, but when the Express arrived at Sir John's Station, he had put out to Sea, the dispatches were opened which were for him by the officer next in Command, who immediately sent a cutter out after him, and in three days Sir John returned and sent a dispatch immediately to Washington The officer says that an Armistice for six months was requested which was the occasion of the communication between his Government and Admiral Warren this will probably be the forerunner of a Peace. If they wish for peace so much the better, if not I think we will soon be prepared for them here so as not to dread any force they can bring against us part of the 8th Regt have arrived at Niagara and the remainder of them are on their way up here the 104th Regt were at Kingston some days ago on their way up, part of the Glengary Light Infantry regt are here and the rest of them coming and three Companies of Voltigeurs when all these get here we shall have a very respectable force The 41st are at Fort Erie under Orders for Amherstburg

"They are recruiting here for a Troop of Dragoons a Corps of Drivers 2 Companies of Artillery and a Corps of Artificers which to complete will take four hundred men who are to serve during the war with the United States these Corps interfere very much with the Regiments of Incorporated Militia which we are attempting to raise here and to one of which I belong I have been as successful in getting men as almost any one yet have not got my complement I think if I had Alex Askin with me I should get them in two or three days for I think he would make an excellent recruiting officer

"The whole of the immense Army taken by Bonaparte into Russia has either been taken or destroyed except a few officers who made their escape with him Genl Yorke who commanded 30 000 of the Prussians in Bonaparte's service was forced to enter into a convention to save himself and men one of the Articles of which was that his army are to occupy a District in Prussia which was to be perfectly neutral and that if the King of Prussia did not ratify the convention they were not to fight against the Russians for 2 months from the date of the Convention. Mr Barlow the American Minister at the Court of France died on the Road between Dresden and Paris of the Fatigues of his Journey to and from Wilna he had gone to congratulate Bonaparte on the taking of Moscow. One of Barlow's attendants who did not wish to perform the Journey made his escape to Heligoland where he was taken up as a spy and in his possession some papers were found of consequence among which was a proposal from Bonaparte to Madison to guarantee the Presidency of the United States to him for life on condition of his declaring War against Great Britain. Bonaparte also complains of the want of energy in the American Government and wishes it subverted. He offers to send over 3000 French Officers which he directs how to be introduced into the American Army without creating any suspicion offers also to lend him money and a few frigates—that Mr Barlow is dead I believe but whether the rest of the story is true I have some doubts so many stories of this kind are now made and the people have been so often deceived that should all this be a fact they will give no credit to it in the States.

By a letter an extract from which I have seen in a News paper from an officer in Harrison's Army dated 28th Jany it appears that only 27 of Winchester's Army made their escape from the River Raisin on the 22nd Jan.

(Burton Historical Library Askin Papers)

Petition to General Vincent

The capture of the seat of government and its occupation for several days by an overwhelming hostile expedition at the end of April was a serious disaster causing great discouragement. A ship of war on the stocks larger than any then afloat on Lake Ontario with the supplies necessary for its completion and the buildings of the dockyard the garrison and public offices were destroyed. The civil administration of the province was dislocated and all communication with Kingston and Lower Canada was cut off for about two weeks. The movement of much needed reinforcements already on the march was delayed. The situation appeared so alarming that the most influential magistrates united in preparing an address to General Vincent suggesting resort to martial law to maintain order.

"To Brigadier General Vincent

"At a time when the Enemy has possessed himself of the capital of the Province and the President (is) driven from it the Judges of the Court of King's Bench under control of the enemy, the public records burnt, and all benefit of the laws suspended or annihilated and the Enemy momentarily threatening an invasion. Such a state of things could never have been contemplated by our Legislature otherwise it would have been provided for by the enactment of more efficient Laws. We therefore as men of some standing and weight in this Society and holding real property to a great extent humbly offer it as our Opinion that under existing circumstances self-defence is paramount to all other considerations and at present recourse only to the civil laws of this Country would be unavailing and paralyze the best exertions of His Majesty's loyal Subjects endanger our existence as a people and government, the safety of which ought to be supreme law. When we observe a supineness or want of alacrity in some of our Militia, traitors joining the Enemy, and some fostered among ourselves, reason and argument become nugatory. A regard to the interests of our Sovereign and the deliverance of these Provinces from the domination of the Enemy would well warrant the immediate adoption of Military law administered with a due regard to the habits and feelings of His Majesty's loyal subjects but aware that in your situation it might not be thought expedient to promulgate the same but placing the most implicit confidence in your discretion and ability we would humbly presume to advise that you would take upon yourself to adopt such measures as in your own judgment would tend best to the defence of the Country and in the exercise of such measures should individuals find a more rigid system adopted that in calmer & better times might be complained of yet the necessity of such must now be apparent to all and the Agent will meet decidedly with his Sovereign's approbation and indemnity from a discerning public

"Should eventually contingencies occur which might expose you individually to animadversion from such measures we pledge ourselves upon all occasions hereafter to come forward and defend the necessity thereof and we hesitate not to say we will jointly and individually be responsible for any pecuniary deterioration your private resources may sustain thereby

W Dickson
Js Crooks
John Symington
R Nichol
Thos Dickson
A. McDonell
Jno Powell
Jas Edwards

A. Cameron
Robt Campbell
Amos Chapman
S Street
T Cummings
T Clark
D Secord
George Turney
Robt Grant

"Niagara 8th May 1813"

From General Vincent to General Sheaffe

By that time the squadron which had been employed in the expedition which had taken York had crossed the lake and landed the troops on board at the Four Mile Creek in rear of Fort Niagara where they were joined by another considerable force transported in boats from Oswego and were encamped in the woods out of sight The next ten days were employed in making arrangements for an attack upon Fort George in conjunction with the ships of war which were sent to Sackett's Harbour to bring up reinforcements to make success certain by weight of numbers. The arrival of this fleet could not be concealed from observation and was immediately reported by General Vincent in a letter to General Sheaffe who was then at Kingston

Fort George 20th May 1813

"Sir

I have to inform you that seven vessels appeared on the lake about sunset last night and this morning we discovered at anchor two brigs and fifteen smaller vessels with each a large batteau

"At daylight they were seen in the act of disembarking men

"I have every reason to expect an immediate attack especially from a movement the enemy made yesterday bringing a strong force from their left to the fort and the encampment in rear of it

"At all events I do not think a moment should be lost in giving you the information of this portion of the enemy's fleet being at this quarter

"I have made no change in the distribution of troops since my return to you of yesterday except that I have ordered the detachment with the six pounder at Chippawa to Queenston"

From the Governor-General to Vincent

Vincent had then received a letter from the governor-general informing him that Sir James Yeo and other officers with 450 seamen had arrived for service on the lakes and were on their way to Kingston

"This with smaller reinforcements he added "will I hope enable us to regain our ascendency on Lake Ontario I am also strengthening the posts in that Province by additional troops and I shall not fail to supply you with whatever you may stand in need of as soon as your wants are made known to me Under such circumstances I trust I may rely upon a continuance of your best exertions for repelling any attempt of the enemy upon your frontier & for preventing them from gaining a footing in the Province"

From Prevost to Vincent

After writing in these terms from Montreal Sir George Prevost went forward to Kingston where he received Vincent's reply and wrote to him again

"Kingston 24th May 1813

"Sir

"I was early this morning honored with your despatch of the 19th inst [*] The confidence you repose in the steady zeal and high spirit animating every individual on the frontier committed to your charge is highly gratifying as such feelings cannot fail in producing the glorious result you anticipate from the attempts the enemy may make upon your position In ten days our flotilla will be ready to go forth to dispute the ascendency on Lake Ontario with the enemy a series of exertions have led to this state of forwardness in our naval preparations I am much mistaken if Commodore Chauncey is not over-matched Our little fleet will consist of the Wolfe carrying 4 68 lb carronades and 14 18 lb long guns The Royal George the Moira the Regent and Sir Sidney Smith are as well manned

"You will on all occasions express frankly your sentiments upon all subjects connected with the important duties you have to perform and in return you will find in me a readiness to remove or alleviate the difficulties you have to contend with to the extent of your reasonable expectations from the scanty resources His Majesty's Government have hitherto placed at my disposal"

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[*] This letter is printed in the Documentary History 1813, pp. 235-7

From Sir Geo. Prevost to Capt. Norton

Vincent had reported that Captain Norton "whose anxiety and zeal for the public service is so constantly conspicuous" was encamped on his left towards the lake with about one hundred Indians and Prevost wrote to Norton on the same day a private letter to stimulate his efforts.

"Kingston 24th May, 1813.

"Sir

"It is with very great satisfaction that I have heard from different quarters the high commendations which have been passed upon your courage and activity since the commencement of the war with America I earnestly recommend to you a perseverance in the same well example which you have hitherto afforded to the brave warriors whom you have brought into the field and a continuance of your exertions to keep up and to increase the numbers of a description of force so truly formidable to the enemy and so capable of sustaining the good cause in which we are engaged

"Accept my thanks for yourself and those whom you lead and the assurance that I will take every opportunity of making known your exertions in the cause of your Great Father to His Royal Highness the Prince Regent

From Gen. Vincent to the Officer Commanding at Kingston

At the end of a destructive bombardment of his position and in anticipation of an immediate attack by an immensely superior force, Vincent addressed a letter to the officer commanding at Kingston

Fort George 26th May 1813

"Sir

"I have to inform you for the information of the Commander of the Forces that the whole of Commodore Chauncey's fleet are at anchor off the American Four Mile Creek

"They commenced a cannonade on our fort at daylight this morning and I am sorry to state that every building in the fort is at this moment burnt down except the place that was formerly the magazine and the new casemant The town has as yet escaped their fire but I expect to hear every moment that they have opened their guns against it

"I am fully confident that it is the intention of the enemy to attempt making a landing this night or to-morrow morning on my right and left and I understand from a deserter who came over last night that the order was out for the attack to take place this morning and to have two days provisions

dressed for that purpose. I also understand from this man that the enemy's strength is to be between seven and eight thousand.

"I have therefore to hope that troops are on the way to my assistance.

"Everything that is possible shall be done for the support of this place, but if I am overpowered I shall take up a central situation and wait there for the support I have every reason to expect from Kingston.

"I have at this moment received the Adjutant General's of the 16th inst. and as I am much hurried I have requested Colonel Myers to write him fully on the present situation of this post."[1]

From Sir Geo. Prevost to the Duke of York

Vincent's letter of May 20 was a principal factor in inducing Prevost to attempt a diversion in his favor by making a premature attack on Sackett's Harbour for which his means were inadequate and failed to gain complete success. Soon after his return from that adventure he learned that Vincent had been forced to retreat and made a report on the subject in a letter addressed to the Duke of York, the Commander in Chief.

Head Quarters, Kingston, U. Canada, 3rd June, 1813.

"Sir,

"I had the honor of informing Your Royal Highness in my despatch of the 1st inst. of the appearance of the enemy's fleet off Niagara & of the effect of the cannonade of their ships & batteries on Fort George. I have now the honor of acquainting Your Royal Highness that on the 27th ulto. the enemy succeeded in effecting a landing about two miles from that fort under the fire of their flotilla & batteries with a force so very far superior to any that we could bring against them that notwithstanding the most gallant & determined resistance on the part of His Majesty's troops under the command of Colonel Vincent, he was unable to maintain his position on that frontier & obliged after falling back upon Queenston to retire with the whole army which he had collected from Chippawa & Fort Erie to the head of the lake.

"I have great satisfaction in stating to Your Royal Highness that by the report of Colonel Vincent I find that this part of the frontier was not abandoned until every possible exertion had been made to retain it & until the forts & batteries

had been rendered at least for a time a useless acquisition to the enemy by their destruction and that of the ammunition which could not be carried away Notwithstanding the unequal contest which was so long and so gallantly supported by a handful of His Majesty's troops against an overwhelming force the army has not been very considerably weakened by the loss they have sustained & they were enabled to retire without molestation from the enemy to a position at the head of Lake Ontario where Colonel Vincent will endeavor to make a stand until I shall have it in my power to reinforce him or until circumstances shall oblige him further to fall back Conceiving that the appearance of the fleet under Commodore Sir James Yeo off the position occupied by Colonel Vincent might give additional consequence to his troops I have embarked the remainder of the 8th Regiment consisting of about 200 men with which & a supply of clothing ammunition & provisions the fleet sailed this morning

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[1] This letter is printed in the "Documentary History 1813," but unfortunately misdated May 20, pp. 237-8.

"I sincerely regret that I cannot add to this despatch a report of the arrival of any portion of the troops announced to be on their way to Quebec from Cadiz Malta & the West Indies

(C 1220 pp. 385 6)

Extracts from the Quebec Gazette

The undaunted spirit that still continued to animate the small body of men under General Vincent's command in the face of very alarming loss is well shown in a brief account of the battle of the 27th May published in the Quebec Gazette on Thursday July 7

The following extracts are from a Letter of an Officer of rank in the gallant division of the army under Brigadier Gen Vincent dated 31st May

'Our little division has taken up a fine position near the head of Burlington Bay which Brig Gen Vincent proposes to occupy until favorable circumstances allow to our gallant little band assuming offensive operations The conduct of the troops engaged on the 27th was beyond all praise and probably few instances are to be found in Military annals where 700 men successfully opposed 7000 supported by a tremendous fire of shot and shells from the shipping which extended upwards of two miles along the coast taking all the streets of the town Yet under these disadvantages our gallant detachment advanced in line on the plains in the hope that the great disparity in numbers would induce the enemy to make a similar movement but the shower of shot and shells in which they alone trusted was their only return.

After a full hour's halt we deliberately and proudly fell back upon Queenston where being joined by the detachments at Chippawa and Fort Erie under Lieut.-Col. Bishop, we marched upon this position. The movements of the troops were performed with the coolness and precision of a parade. The Militia behaved most gallantly and have by their subsequent conduct evinced in the strongest manner that if there are some bad subjects among us that there is still a preponderating majority of men zealously devoted to their country's cause. The best spirit and confidence in our ultimate success prevails. The enemy have spread a report of an intention of what he calls intercepting us. If he attempts it here he will perhaps catch a Tartar. His Ship Guns will avail him nothing against our bayonets."

From Gen. Vincent to the Adjutant General

On June 4 Captain Robert McDouall an aide de camp to the Governor General arrived from Kingston at General Vincent's headquarters at Burlington Heights with instructions to him that if he was forced to retreat toward Kingston to detach a considerable portion of his regular troops to reinforce General Procter at Detroit. Later in the day he received a report from his outposts which induced him to believe that an attack would be made upon his position and in a hasty letter to the adjutant general he remarked "As circumstances are at present I am determined if possible to be beforehand with them."

Prevost's Reply

This letter was received at Kingston three days later and Prevost promptly encouraged him to take the offensive.

"Kingston, 7th June, 1813.

"Sir,

"Concluding that the presence of our flotilla near your present position with the arrival in it of fresh troops and such supplies as could be procured here, will have had the best effect I recommend your taking immediate measures for harassing the enemy with your Indians supported by Light Infantry and militia thereby depriving them of the opportunity of exhausting a country you will soon I hope be enabled to re-occupy.

I send you Major de Haren as an officer well qualified for the execution of such a service. He is accompanied by 250 Indians who are supported by detachments from this garrison. You must organize a corps for this service and the sooner you bring forward the warriors the less disposition will be manifested by them for returning to their villages

"As soon as Sir James Yeo returns I will make arrangements for the transport of the 2nd Battn 41st Regt and additional stores and salted provisions

"Altho' the want of co-operation from the navy and the smallness of the force employed prevented us from obtaining complete success at Sackett's Harbor still I have had the satisfaction to learn that with the naval stores the sails and rigging of the new vessels were destroyed in the conflagration This circumstance will cause a delay in the preparations for increasing the American flotilla.

(C. 1221 p 139)

From Prevost to the Duke of York

Before this letter was written Vincent had begun his offensive by a night attack upon the enemy's encampment at Stoney Creek which inflicted such loss upon them that they began a hasty retreat next morning This was accelerated by the opportune appearance of Yeo's squadron in the lake on their flank Prevost described these events in an official letter to the Duke of York

"Head Quarters Kingston Upper Canada 15th June 1813

Sir

"I have great satisfaction in communicating to Your Royal Highness the successful result of an attack made by a division of the army under Colonel Vincent upon the advanced camp of the enemy on the 6th inst in which British valor and enterprise were most conspicuously displayed the particulars of which affair are detailed in Colonel Vincent's report[1] I have the honor to transmit to Lord Bathurst

"After the retreat of Colonel Vincent from Fort George on the 27th ulto before an overwhelming force which it was not possible with his small numbers to resist he took up a strong position at the head of Lake Ontario The enemy having pushed forward a very considerable body consisting of 3 500 infantry 250 cavalry and 8 or 9 pieces of artillery evidently for the purpose of attacking Colonel Vincent's division he most judiciously determined upon anticipating them by attacking their camp about eight miles distant This was accordingly effected a little before daylight on the 6th instant by detachments from the 8th & 49th Regiments, consisting of 700 men under the command of Lieut Colonel Harvey, the Deputy Adjutant General. The enemy were completely surprised and after a short tho' severe action, driven from their camp with the loss of three guns and one brass howitzer. Two brigadier generals, the first and second in command, and upwards of one hundred officers and men were made prisoners. Our troops having returned to their cantonments with their prisoners and two six pounders, all that they had the means of bringing away, the enemy broke up their encampment and retired with the greatest precipitation to the 40 Mile Creek from whence I have the pleasure of informing Your Royal Highness, they have since been driven by the appearance of the squadron under the command of Sir James Yeo off that post and by the approach of a body of 400 men pushed on in advance under Major Evans From this last position the enemy retired in such panic and confusion that they left in our possession the whole of their camp equipage and considerable quantities of stores, provisions boats &c By the last accounts of them they had retreated to Fort George where they were concentrating their forces having evacuated Fort Erie and Chippawa."

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[1] See "Documentary History of the Campaign on the Niagara Frontier in 1813 Part II pp 8-10

(C 1220 pp 399-400)

Extracts from the Richmond Enquirer

Two letters published in the Richmond Enquirer of 23rd June and 3rd July 1813 written by officers in the United States army describe the same events from an opposite point of view

"Camp at Fort George June 9th 1813

"I walked down to the beach yesterday morning to see some English prisoners brought up in boats the night before from a place called Forty Mile Creek They are very clean smart looking fellows

"General Chandler had taken the command before our army was surprised by General Vincent Our camp they say was very badly and loosely laid out The British advanced silently with fixed bayonets not a musket was allowed to be loaded for fear of blowing their design Some officers and men advanced at some distance ahead of them who hailed amused and stabbed some of our sentinels pretending to give the countersign The advanced guard was first alarmed by hearing the dying groans of a sentry who had been run through Five pieces of light artillery were seized and fired against our troops

"The regiments in the centre and rear never got to the

assistance of those in front. The 16th Regiment when formed was broken through by our cavalry that had cut its way through the 49th British Regiment and could not stop. Owing to that and the darkness some of the companies engaged their own men.

“The inhabitants hereabouts are almost altogether very inimical to the Yankees—the men would scalp them and the women of Newark are loyal enough to eat their hearts and drink their blood. I do not believe wolves are more cruel if they dared. I wonder that the men are not deprived of all the arms in their houses and prevented from going at large. Several of them are married into Indian families and are captains among the savages. Carr[1] (Kerr) Norton[2] Dickson[3] and Ferguson[4] and other Scotchmen are in this predicament. Instead of giving liberty to such wretches who have murdered many a Yankee I think they ought to be hung up. But the three first named are with the English army or the Indians. Many cruelties committed by these and other white men in Indian dress are charged to real Indians. I hope these villains will be put to death and their estates confiscated. We can never trust them.

“There is a number of Yankees here from Grand River—they came to obtain parole and say that if our army leaves them they dare not return to their homes for fear of the Indians. Norton and other Scotch chiefs have lists of suspected Yankees whom they will plunder and murder without remorse. What distresses our friends have suffered for refusing to take the oath and perform militia duty is incredible. Some died in jail and others have been robbed of their property by being fined eighty dollars at every draft. I pity them and I am surprised that General Dearborn (as our officers are) has confirmed the old magistrates in their appointments who used to oppress and imprison and pillory our American adherents. This conduct annoys us but I suppose General Dearborn has some reason for it.”

From a Captain in the 20th U.S. Infantry

The second letter was written by a captain in the 20th United States Infantry who was present at Stoney Creek.

Fort George, June 10th, 1813

“On the first of June General Winder with his brigade left this fort in pursuit of the enemy who had retreated to the head of Lake Ontario. On the 5th in the evening we drove in the advanced guards of the enemy and approached within seven miles of the position they had assumed for defence. We encamped for the night at sunset, disposed in various and distant situations and too much scattered for a prompt co-operation in case of an attack. On the morning of the 6th at 2 o'clock whilst darkness still overspread the horizon we heard a firing when the attack was made and a few minutes after the savage yells of the enemies. The 5th Regiment and two companies of the 20th consolidated with it, amounting to 250 effective men under the command of Lieut. Colonel Milton had taken the precaution to extinguish the lights of its fires and lay under arms on the place it was to form during the night and, in one minute after the alarm was heard, was prepared for action. General Winder ordered this regiment to proceed to the point of attack, which movement was immediately executed and the action commenced between it and the enemy at distances of between 20 and 100 yards. The firing was maintained for about 15 minutes when the enemy was repulsed and we were ordered to take a position to secure our flank in case of a repeated or additional attack. A company of artillery was stationed not far from the right of the ground we originally occupied and at the moment of our withdrawal was ordered to cease firing under an impression that the whole of the enemy had retreated but a party of them had suddenly dashed in and taken possession of three pieces of cannon and when Chandler and Winder reached the spot they discovered their misapprehension too late to prevent their capture. The small party of the enemy approached under cover of the darkness after our firing ceased and were not discovered until they ordered a charge with bayonets. It is reported that General Winder addressed the enemy saying 'Come on my brave fellows they are routed.' The 5th Regiment remained at its new position until daylight impatiently waiting for orders. None could conjecture what had become of the Generals. At length it was concluded they were taken prisoners and Colonel Burn of the light dragoons assumed the command. At this time there were the 5th Regiment and about 200 other troops in the field well formed and highly animated and the 13th and 14th Regiments were on their march to join them. Colonel Burn called a council of war and it was determined to be expedient to return to 40 Mile Creek (about 10 miles in our rear) to procure supplies of ammunition and provisions which were nearly exhausted and our boats had been ordered back. This measure was disapproved by almost all the platoon officers who wished for an immediate and vigorous pursuit but as Colonel Burn was an experienced officer and the enemy had probably got too much of a start to be overtaken on that day the proceeding perhaps was prudent though not agreeable to my feelings nor glorious to our arms Many stragglers however would certainly have been taken As a proof of the disorder of the enemy the British General Vincent was missing so long that a flag was sent for his body supposing that he had been slain He had lost his hat was dismounted and wandered a considerable time in the woods There were but few Indians with the British and the latter set up the savage yell before the attack was made. This artifice was unworthy of regular troops and it excited no other sentiment but contempt among our soldiers Though we have not completely effected the object of our expedition up the lake the surrender or destruction of the enemy's force the coolness, collected and determined intrepidity of many of our troops have been conspicuously displayed and they have acquired valuable experience to be applied in future operations of the army

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[1] William Johnson Kerr [2] John Norton [3] Robert Dickson [4] John Ferguson of Kingston

"We have endured every hardship and privation the officers in common with the soldiers We have borne hunger thirst and loss of sleep, we have endured the extremity of cold and heat and have frequently laid upon the wet ground in the open air and sometimes in rain to seek the necessary repose

Generals Boyd and Lewis joined us at the 40 Mile Creek and had made every preparation for again pursuing the enemy when a peremptory order was received from General Dearborn to return to Fort George it being apprehended that the British fleet, which now appeared would take in their troops and attack the place On the morning of the 8th we accordingly commenced a retrograde in good order and at our leisure The enemy's fleet made an attack on our boats and effected the destruction of them and all our company and personal baggage On this retreat the men were so much fatigued that whenever a halt was made they dropped down for rest in the ranks Myself and Captain Randolph of the 20th have been attached to the 5th Regiment and thus fortunately have had an opportunity to engage in action I had only two men wounded and Captain Randolph three The regiment had several more men wounded but only two of them mortally The enemy's fire is always rapid and less effective than ours They lose over five times as many as we do. They had 120 killed and wounded and we had about thirty

Colonel Proctor has just arrived with a reinforcement and we shall have another battle in a few days"

Memorandum of Major Plenderleath's Services

After the death of Major Plenderleath, at the request of his widow, Colonel James FitzGibbon, who had served with him for many years in the 49th Regiment, prepared a memorandum of his services from which the following is an extract.

"On the 27th of May, 1813 the American army crossed the Niagara River and drove the British from Fort George & from the whole frontier up to Fort Erie, the several frontier detachments were united at the Beaver Dam, some 10 miles back from the frontier & thence retreated towards Burlington Heights at the head of Lake Ontario. The American army soon followed and on the evening of June 5th, bivouacked for the night at Stoney Creek within 3 or 4 miles of the British. Later in the evening the British commander determined on attacking the Americans before day on the following morning & for which purpose his small force, about 700 bayonets, was countermarched & whilst it was yet dark commenced the attack. The enemy about 3,000 strong flew from around their fires in the open farm grounds where they were sleeping and formed out of view in the rear & commenced a heavy fire of cannon and musketry while the British endeavored to form in the extreme darkness upon unknown & rough ground covered with rail fences, fallen trees and stumps soon fell into inextricable confusion and broke & fell back into the surrounding woods. Major Plenderleath who was with that part of the force which formed in the high road soon discovered what was passing on the partially cleared ground on right & left at once decided on charging the guns in his front in the road then beginning to fire upon him. He called aloud for volunteers to follow him, upon which a young Scotch sergeant named Fraser only 19 years of age sprang forward followed by about 30 men & led by the major, they charged the gunners killing & dispersing every one of them. At this moment the 2 American Generals Chandler & Winder rushed forward followed by some of their officers & men but they were received on the points of the bayonets of our soldiers who took the 2 Generals with 5 other officers and 75 men prisoners. These they brought off together with 2 of the field pieces of which there were 4 but 2 of them had to be left behind for want of men to drag them away. The major's horse was killed under him & he was severely wounded. On rising from the ground he laid hold of a soldier who was near him to help him to his feet & soon found that he had hold of an American but the man immediately surrendered on being ordered to lay down his arms.

In justice to Sergeant Fraser, it ought to be stated he stabbed 7 Americans & his younger brother, a lad of 17 stabbed 4 The sergeant also captured General Winder who was in the act of raising a pistol to fire at him but Fraser promptly put his bayonet to the General's heart & commanded him to throw the pistol down, which the General did and surrendered Fraser is now (1 January 1854) a half pay lieutenant and a colonel of militia in Upper Canada

The major then brought off his prisoners & guns & in the retreat was joined by scattered troops who were soon by returning daylight enabled to find their way back from the surrounding woods to the road

"After the capture of the American Generals the officer next in command of their army being but a militia colonel & without experience deemed it most safe and prudent to march his troops back to Fort George & there await the arrival of Major General Dearborn who was then on his way from Washington to take the command in chief on the frontier

The advance thus made by Major Plenderleath saved that small army & consequently most probably the whole of Upper Canada For had it not been so made the Americans would have maintained their ground till daylight when they would have discovered that our force was dispersed in the woods and liable to be made prisoners in detail as they issued from thence to the high road individually or in small parties.

From Prevost to Vincent

Vincent was so much encouraged by his success and the arrival of reinforcements that in a letter written to Colonel Baynes from the Forty Mile Creek he announced his intention to advance and attempt to retake Fort George if Yeo would co-operate with his squadron which had gone down the lake

In reply Prevost advised caution

H Q Kingston 18 June 1813

Sir

The Adjutant General has communicated to me the letter you addressed to him on the 14th inst [1] wherein you express a determination to push forward and retake Fort George provided Sir James Yeo would co-operate with his squadron in the enterprise

"Although I approve the energy and applaud the valour which has been so conspicuous in the Centre Division of the Army of Upper Canada still I cannot allow you to dissipate your force uselessly at a moment when the concentration of it entire with the reinforcements which are moving toward you, a combined operation upon the positions occupied by the enemy on both banks of the Niagara River, might be undertaken with a well founded expectation of success. However, to preserve unabated the ardor which glows in the troops under your command and with a view to increase the uneasyness which you represent as existing in the American camp and which might cease by inactivity on your part and become confidence, I have made the following arrangements with Sir James Yeo, who sailed yesterday for the purpose of interrupting the supplies for the American army moving by water and for carrying away or destroying the depots of stores collected at Oswego and the Great and Little Sodus together with all the vessels and boats he could get at, but in the event of the wind not favoring this design, then the Commodore is to proceed direct for Niagara and after having communicated with the British Commanding Officer of the troops it is proposed if circumstances are favorable that the ships of his squadron should anchor opposite to the enemy's camp at the Four Mile Creek for the purpose of cannonading it and if advisable of landing such of the troops and the marines he may have on board at the time to countenance and support a simultaneous menace on the enemy near Fort George which is to be made by your light troops and Indian warriors which if feebly resisted by the enemy and producing signs of confusion and dismay might be followed up by the main body to dislodge the Americans from the ground they occupy within His Majesty's territories

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[1] Documentary History 1813, Part II, p 74.

Sir James Yeo has received on board the Wolfe in specie £500 for the Deputy Commissary General. Brigade Major McLean and Captain Chambers are to proceed from hence in the course of the day as will also Major General de Rottenburg who has relieved Major General Sheaffe. Two companies of the Royals and a detachment of the 104th Regiment have just left Kingston under command of Colonel Stewart.

(G 1221 pp. 153-4.)

Supercession of General Sheaffe

The supercession of General Sheaffe and the difficulties to be surmounted in the successful defence of the province were related in a letter addressed to the Duke of York sent to England by Captain Robert McDouall as a special messenger

"Head Quarters Kingston Upper Canada 23rd June 1813

"Sir

"Since I had the honor of addressing Your Royal Highness on the 15th instant the Government of the United

States has not ceased to make every exertion to bring forward a sufficient force to wrest from His Majesty's troops the positions occupied by them at one extremity of a long line of defence while every nerve has been strained by me to maintain and strengthen them It is therefore probable that the army possessing the power of concentrating and maintaining a preponderating force at the remote points will ultimately succeed The resources of America for obtaining this object are not only superior in extent and more readily brought out but the comparative risk to which she exposes herself by accumulating a great force on the Niagara line bears no proportion to the hazard I should incur by a similar movement with the troops under my command a measure that would unavoidably expose several of our vulnerable points. The two fleets are at present nearly equal but in this respect also the resources of America for increasing her navy on the lakes are greater in extent and more easily available than those possessed by England To counterbalance these advantages however high discipline and valor are decidedly in our favor If my observations are correct Your Royal Highness will allow that the chances of success are on the side of America in proportion as her superior resources are suffered to accumulate and grow into so preponderating a force as neither to be checked nor counteracted by valor and discipline This is the principle which has hitherto guided my conduct I have acted upon it with some success I have disappointed the expectations of the American Government of finding Upper Canada an easy conquest as well as in its view of obtaining the fur trade and of obtaining an absolute dominion over the Indians The support I have received from the General Officer in command since the death of Major General Brock I am sorry to say has not always corresponded with my expectations Circumstances indicating an insufficiency on the part of Major General Sir R H Sheaffe to the arduous task of defending Upper Canada, have induced me to place Major General de Rottenburg in the military command and civil administration of that Province which measure will I hope meet with the approbation of His Royal Highness the Prince Regent and that of Your Royal Highness. Except Sir John Sherbrooke the Major General is the only General Officer of high character and established reputation serving in the army in the North American Provinces to whom I could entrust this important duty without embarassing myself with it to the prejudice of the other possessions of His Majesty committed to my charge

Your Royal Highness will I hope pardon my lamenting the detention and delay experienced by the Regiment de Watteville going to Halifax previous to their coming to Quebec, altho' I am satisfied His Majesty's Government adopted this precautionary measure from some decided opinion which it had received upon the subject, still I cannot but regret it as the consequence of so circuitous a route, when all dangers from ice in the River St. Lawrence had ceased, that I have been deprived of the services of this valuable corps at the critical period when the enemy reckoning upon their numerical superiority, were induced to make a third serious attack upon Upper Canada, with means amply sufficient for the enterprise, with an improved army, better organized, better disciplined, and more ably commanded. I expect to be joined by that regiment in the course of the next week, and then I shall feel enabled to undertake some offensive operations calculated to cripple and destroy the enemy's marine resources, by the success of which I can alone hope to maintain the position I at present hold in Upper Canada.

"I feel truly gratified for the interest Your Royal Highness has been pleased to take in the naval concerns of this command. It is however with regret I inform Your Royal Highness that I have been compelled to dismantle the batteries at this post for the purpose of arming the vessels lately built on the lake in consequence of the disappointment I have experienced in the arrival of the carronades I had demanded for that service both from England and from Nova Scotia.

My aid de camp Captain McDouall will have the honor of delivering to Your Royal Highness this despatch. He is an intelligent, deserving officer and well qualified, particularly from having lately been with the different divisions of the army on our frontier, and personally engaged in several of the actions, to give any information respecting the state of the Provinces which Your Royal Highness may require from him."

Controversy Over Fighting

In accordance with Prevost's instructions of the 7th June Vincent advanced with his main body to the Forty Mile Creek and sent forward an advanced guard to the Twenty Mile Creek under Lieut. Colonel Bisshopp to occupy the road junction there. From his force Major de Haren with two companies of the 104th, the light company of the 8th, Kerby's newly organized company of Incorporated Militia and two small troops of Provincial dragoons was directed to occupy the site of the present city of St. Catharines where three roads branched off leading to Niagara, Queenston and Chippawa. Lieut. James FitzGibbons with a company of picked men from the 49th Regiment was sent forward on the road from the Twenty Mile Creek to De Cew's falls to occupy a stone house at that place. The whole body of Indians, numbering nearly five hundred, were instructed to form their camps in the woods nearly midway between De Haren's and FitzGibbon's positions to be in readiness to support either, while Bisshopp could advance to the assistance of either with nearly equal facility or they could retire upon his command. De Haren established outposts at the crossings of the Ten Mile Creek on the roads toward Niagara and Queenston. Scouting parties were sent out on the roads leading to the river to gain intelligence and arrest persons suspected of sympathy with the enemy. On June 24 a detachment from the invading army advancing against FitzGibbon's station was surrounded and compelled to surrender.

The field of action in this combat was so extended and in many places so thickly wooded and on the part of the victors so many detachments were acting independently under different officers that considerable misunderstanding occurred and prolonged controversy ensued in after years. Besides FitzGibbon's party of the 49th, which had actually taken little part in the fighting although its opportune appearance in the enemy's front at a critical moment and its commander's adroitness and audacity had induced the surrender, a large body of Indians from Lower Canada under Captain Dominique Ducharme and other French Canadian officers and a smaller number of the Six Nations commanded by Captain William Johnson Kerr and his cousin Lieutenant John Brant had been actively engaged, and part of a troop of Provincial dragoons had taken possession of the road by which the enemy had advanced and menaced their retreat. The officers commanding these parties not unnaturally believed they had not received sufficient credit for their exertions.

Extracts from The Quebec Gazette

Two accounts of the battle, evidently written by well informed local residents, were published soon after in the Quebec Gazette.

"THE QUEBEC GAZETTE.

"THURSDAY, JULY 15, 1813.

"Montreal, July 6.

Immediately after the gallant affair of our advance on the 6th ultimo, Lieut. Fitzgibbon made application to General Vincent to be employed separately with a small party of the 49th Regt. and in such manner as he might think most expedient; the offer was accepted, and this little band has since then been constantly ranging between the two armies. Many events would naturally occur on such a service, which would be very interesting, but are necessarily prescribed in our limits of the tale, and we will confine ourselves to two very extraordinary occurrences: about the 30th ult. Lieut. Fitzgibbon went in pursuit of 46 vagabonds, volunteer cavalry, brought over by a Doctor Chapin from Buffalo and who was for some weeks plundering the inhabitants round Fort Erie and Chippawa; he came near to them at Lundy's Lane, about a mile below the falls, but he discovered that they had been joined by 150 infantry—his force was about 44 muskets—he did not think it advisable to attack; and therefore his party was kept concealed. He however rode into the village, at the end of the lane, dressed in green, to reconnoitre—he could not perceive the enemy. Mrs. Kirby[5] who knew him ran out and begged him to ride off, for that some of the enemy's troops were in a house at a short distance—he saw a horse at a door, and supposing there were none but his rider in the house, he dismounted and approached it, when an infantry soldier advanced and presented his piece at him; he made a spring at him, seized his musket and desired him to surrender—the American resisted and held fast—at this instant a rifleman jumped from the door with his rifle presented to Lieut. Fitzgibbon's shoulder, who was so near to him that he seized the rifle below the muzzle and pulled it under his arm, keeping its muzzle before and that of the musket behind him. In this situation Lieut. Fitzgibbon called upon two men who were looking on to assist him in disarming the two Americans, but they would not interfere; poor Mrs. Kirby apparently distracted used all her influence but in vain; the rifleman finding that he could not disengage his piece, drew F.'s sword out of its scabbard with his left hand with the intention of striking at Lieut. F., when another woman, a Mrs. Dunfield[6] seized the uplifted arm and wrested the sword from his grasp; at this moment, an elderly man named Johnson came up and forced the American from his hold on the rifle and Lieut. F. immediately laid the other soldier prostrate; a young boy of 13 years old, son of Dr. Fleming, was very useful in the struggle which continued for some minutes. Lieut. F. thus relieved, lost not a moment in carrying off his two prisoners and the horse, as the enemy's forces were within 200 yards of him, searching a house round a turn of the road.

At 7 o'clock in the morning of the 24th ult. Lieut. F. received a report that the enemy was advancing from St. Davids with about 1000 men and 4 pieces of cannon to attack the stone house in which he was quartered at the Beaver Dam about an hour afterwards he heard the report of cannon and musketry he rode off to reconnoitre and found the enemy engaged with a party of Indians who hung upon his flanks and rear and galled him severely—Lieut F dispatched an Officer for his men, and by the time of their arrival the enemy had taken a position on an eminence at some distance from the woods in front he estimated the enemy's strength at 600 men and 2 field pieces a 12 and 6 pounder To make the appearance of cutting off his retreat Lieut F passed at the charge step across his front to gain his other flank, under a quick fire from his guns which however did not the slightest injury He took post behind some woods and saw that the Indians were making very little of the enemy, and it would have been madness in him with 44 muskets to dash at them across open fields where every man he had could be so easily perceived Many of the Indians were at this time taking themselves off and he began to think of his own retreat, he had a hope however that Colonel De Haren would soon join but fearing that the enemy would drive him off or make good their retreat, he determined to play the old Soldier and summon the enemy to surrender He tied up his handkerchief and advanced with his bugle sounding the "cease firing" a flag was sent to him by a Capt McDowell of the Artillery—Lt F stated that he was sent by Colonel Deharen to demand their surrender and to offer them protection from the Indians adding that a number had just joined from the north-west who could not be controlled, and he wished to prevent the effusion of blood The Captain went back to his commanding officer Lt-Col Boerstler and soon after returned saying that Col B did not consider himself defeated and could not surrender Lt F proposed that Col B should send an officer to see Col Deharen's force when he would be better able to judge of the necessity He soon returned with a proposal that Col B should himself be shewn the BRITISH, and if he found the force such as to justify his surrender, he would do so to this Lt F said he would return to Col Deharen and state Col B's proposal The real intention of shewing the enemy's officer our small force never existed, but appearances must be kept up in order to carry on the farce On Lieut F's return he found Capt Hall[1] with 12 Dragoons just arrived to whom was communicated what had passed and Capt Hall immediately assumed the rank of Colonel for the purpose On this Lieut F returned and stated that Col Hall now being the senior officer on the spot did not think it regular to let the enemy see his force; but that it was perfectly ample to compel the surrender; and from motives of humanity, five minutes would be allowed for acquiescence; and if refused, hostilities would recommence at the expiration of this period. Col. B. agreed to surrender on condition, that the officers should retain their horses, arms and baggage, and that some militia and volunteers (among whom were Dr. Chapin and his marauders) should be permitted to return to the States on parole. When the extent of our force is considered, it is no wonder, that these conditions were immediately acceded to. Lt. F. at this moment most fortunately met with Col. Clarke of Chippawa who came galloping up and who proceeded to assist him in disarming the enemy as Col. Hall could not appear, and his only officer (an Ensign) must remain with the men. Col. Deharen immediately afterwards appeared with the flank companies of the 104th Regiment and the whole affair was soon settled thus putting into our possession 26 officers one 12 and 6 pounder two caissons and two waggons and above 500 prisoners including about 20 Dragoons. Had not Col. Deharen arrived at that moment this large number of the enemy would have yielded to 43 soldiers of the 49th regt. for all the arrangements were made previous to the arrival of that officer. The Indians behaved well they killed and wounded during their skirmishing about 50 of the enemy. We are informed that at the moment of the summons being sent many of the enemy had gone off—the number of Indians engaged did not exceed 80. Thus terminated a bloodless victory on our part. If promotion and reward await the Officer selected to be the bearer of dispatches announcing an enemy's defeat we cannot doubt but the hero of this achievement will receive that favor from his Sovereign to which his services have established so just a claim and who we believe has no other patronage but his own distinguished merit."

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[5] Wife of Captain (afterwards Colonel) James Kirby, of the Second Regiment of Lincoln Militia.

[6] Sarah, wife of Edward Dunfield.

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[1] Captain John Hall of the Canadian Fencibles Inspecting Field Officer for militia cavalry

"THE QUEBEC GAZETTE

THURSDAY JULY 28, 1813

"Montreal July 17

"Extract of a letter Flamborough Upper Canada June 20th 1813

"The loss of another division of about 700 men and two pieces (a 12 and a six pounder) of cannon seems to have determined the enemy to remain close to that place where I am sorry to say the conduct of their Generals their officers and men has been disgraceful in the highest degree to the inhabitants who had returned to the place upon repeated promises as well general as particular that their property would be respected and protected. Plunder is however the order of the day, and what is worse the personal liberty of all the inhabitants has been taken from them except a very few indeed who were always suspected and who have now openly joined the enemy. You will not be surprised when you learn that the Editor of the late Guardian led the American army in pursuit of ours, when you recollect the matter with which its columns were usually filled—another also an Irishman is seen at the head of almost every party of depredators who too frequently visited the interior of the country until lately. To the honor of Niagara be it said that General Dearborn has been heard to express his deep regret and sincere disappointment that so few of its inhabitants should have sought protection under the wings of the American eagle and the keen disappointment he feels may have goaded him on to the disgraceful and mad step he has committed, of sending off to Greenbush those that he could get hold of, amongst whom I am sorry to enumerate the names of Edwards, Muirhead, Dickson, Symington, Lawe, two Kerrs, M'Ewan, Parson, Addison, Powell, Heron, Green, Baldwin, Clench, Jones, Ball, Denoe & John Crooks. Mr Lawe, M'Ewen & the two Kerrs were wounded in the battle of the 27th past, and I understand no means of conveyance were furnished them on the road unless at their own expence. I had the good fortune to escape this insult from the circumstance of my living about six miles back in the country, whither I had removed my family immediately after the attack on York took place. Twenty-five mounted riflemen were however sent after me, but having caught a glimpse of them a short distance from the house I had time to effect my escape into the woods, and the next morning at day break I proceeded for this place, leaving Mrs ——— very unwell and family exposed to the brutality of a set of miscreants unequalled in the annals of the world. However I hope a just vengeance will overtake them soon and that they will be severely retaliated upon for all their enormities, one part of which I must not omit, namely their confining of 23 of our soldiers taken on the 27th in a dungeon, who are to be dealt with in the same manner that an equal number of Irishmen taken at Queenston and at other places in arms against their Sovereign and who very properly were sent to England last fall.

The following account of the action between the Indians and Americans on the 24th ult was written by a Gentleman who witnessed the affair, addressed to his friend in this city.

"I beg leave to inform you of the gallantry and coolness displayed by the Cognawaghe, Lake of the Two Mountains and St Regis Indians, under orders of Captains Ducharme, Lorimier, Gamelin and Lieutenants Le Clair, Evangeliste St. Germaine, and Langlade, in the action which was fought on the 24th last, at 12 mile creek. Their military prowess deserves the highest encomiums. At 7 o'clock in the morning our brave Indians perceived that the enemy was approaching upon our advanced posts, and notice was given to Colonel De Haren by an officer of the department, but he would not believe it. The officers of the Indians department went to meet the enemy with our gallant warriors and entered into an engagement that lasted from eight to twelve o'clock, unassisted by regular troops, and only aided by three men of the Incorporated Militia, who came on, and Capt. Kerr and Lieutenant Brant with 15 Agniers* Indians. The enemy was three times hardily repulsed with great fright and loss.

"Their force consisted of 700 foot, 100 horses, 50 riflemen, and 3 pieces of ordnance.

"Some of the riflemen made their escape, but the remaining part of the army not being able to get out of the hands of our brave Indians warriors was left a prey to their valour when the Colonel came on and concluded a capitulation with the enemy. In order to assuage the wrath of the Indians Captains Ducherme and Lorimier were obliged to repeat what Col. Claus had promised to them, that they would be put in possession of the spoils and horses of the enemy. The Americans lost about 100 foot, 15 horses killed, and 600 prisoners with all their artillery and horses.

"The loss of the Indians consisted of 7 men killed and 16 wounded."

Extract from The Niagara Gleaner

A letter dated 10th July 1818 published in the Niagara Gleaner on 16th July of the same year contains the following interesting statement:

"Even the Indians of Upper Canada do not appear to have been so hotly engaged as those from the Lower Province sent by the Commander of the Forces to assist in defending our country, for the people of the Grand River had only one Delaware killed, the Chippewas from Matchedash also one killed of their warriors, while the whole amount of the loss of the Indians in that affair, I think, amounted to nine men.

From Colonel Harvey to Captain Kerr

Captain William Johnson Kerr was extremely discontented on finding that he had not even been mentioned in official correspondence and continued to press his claims for recognition for many years. In 1818 he had addressed a memorial to the Duke of York Commander in Chief of the Army in which he enclosed letters from FitzGibbon Major Evans and Colonel Claus supporting it which are printed in Volume VI of the Documentary History on pages 119-121 He had written at the same time to Colonel (afterwards Sir John) Harvey then acting as Adjutant General in Canada who gave him faint encouragement in the following letter

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* Mohawks

Head Quarters Quebec
4 April, 1818.

"Dear Sir

"I fear the time is past for making any representation with any prospect of advantage on the subject of your letter

"His Royal Highness the Commander in Chief as well as His Majesty's Ministers can only form their judgment on Military events in remote parts of the world from the Official documents and reports which they receive through the Established and regular channels of communication These have given considerable credit to Captain Fitz Gibbon for his conduct and address in the affair at the Beaver Dams & you will assuredly be told that if you considered the merit which of right belonged to you on that occasion had been given to another you ought to have made your representation at the time when the facts could have been investigated by competent judges on the spot My advice to you however as you state it to be your intention to proceed to England is to apply personally to General Vincent who held the command at the period to which your refer (who never intentionally injured any human being I am certain) and in whom I am persuaded you will find every possible disposition to do all that may be in his power to place your really gallant zealous and useful services during the late War in the light which they merit I beg you to make whatever use of this Letter you may think proper and to believe me Dear Sir to be &c

J Harvey

"Captain W J Kerr
(late) Indian Department"

From Kerr to Earl Bathurst

Kerr's application was unsuccessful Seven years later he prepared a second memorial stating his case in different terms addressed to Earl Bathurst who had been Colonial Secretary since 1812

"Your Lordship's Memorialist was at the capture of Fort Niagara, Lewistown Fort Schlosser Black Rock and Buffalo on the Enemy's Shores was also in the battle of Chippawa under Major General Riall, in which action your Lordship's Memorialist was made prisoner and detained until peace took place when the department was reduced.

"Your Lordship's Memorialist was in the mercantile business previous to the late War in this Country and from his connections and influence with the Six Nations of Indians was solicited by Major General Sir Isaac Brock and Colonel Claus, Deputy Superintendent General of Indian Affairs, to accept of a Captaincy in the Department from which circumstances the property of Your Lordship's Memorialist was taken and destroyed to a large amount whenever it was found and in consequence your Memoralist has suffered very material injury.

"Your Lordship's Memoralist begs leave to refer to the Letters transmitted herewith in corroboration in some degree of the above statement Had he ever been as solicitous to procure certificates of his conduct during the late War in this Country as he was zealous to further His Majesty's Service he would have been enabled to lay before Your Lordship more satisfactory proof of his claims to Your Lordship's consideration

"Your Memorialist therefore humbly prays Your Lordship to take his case into consideration and to recommend him for a pension or half pay agreeable to his Rank from the period of his discharge from the Department which was on the 24th day of December 1815 or such other compensation as to Your Lordship may seem meet and as in duty bound will ever pray.

William J Kerr

"late Captain Indian Department

"Burlington Bay
"Upper Canada,
"12 October 1825

This memorial was forwarded to Colonel Claus as Deputy Superintendent General of Indian Affairs at Niagara for transmission to the Lieutenant-Governor

Certificate from Claus

Besides copies of letters from Major Evans and Fitz Gibbon a certificate from Claus was enclosed written on the anniversary of the action at Beaver Dam in 1818.

Fort George U Canada,
"24 June 1818.

"I do hereby certify that Wm J Kerr Esquire late Captain in the Indian Department commanded a party of the

Western Indians and Six Indian Nations in an action with the Enemy commanded by Lt Colonel Butler on the 24th day of June 1813 near de Coe's Beaver dam when the whole of the American force were captured with two pieces of ordnance Trumbrils &ce None were engaged with the Enemy that day but the above Indians and about 180 of the 7 Nations from the Province of Lower Canada

"W Claus Dy Supt General"

In his letter forwarding these papers Claus considered it necessary to point out an error in the memorial

"Fort George
12th December 1825

"Sir

"I have the honor to transmit herewith a letter from Mr William J Kerr addressed to me and dated the 12 ultimo covering several documents which he requests that I will transmit to His Excellency Major General Sir Peregrine Maitland K C B

"I feel it my duty to correct a statement made in Mr Kerr's memorial that he was appointed by the late Major General Brock he was appointed at my request by the late Colonel Myers who then commanded on the frontier in the absence of Major General Sir Isaac Brock who was then at Detroit I have no doubt but Mr Kerr believes the appointment was made as he stated

I have the honor to be &c.

W Claus Dy Supt General
Indian Affairs

Major Hillier
Secretary to His Excellency
Major General Sir P Maitland"

The memorial then forwarded differed considerably from former statements and boldly claimed the entire credit of defeating the enemy and forcing them to surrender The Lieutenant Governor made no recommendation

From Maitland to Earl Bathurst

"Upper Canada
York 15th December 1825

"No 204
"Miscellaneous

"My Lord

At the request of Mr William Kerr formerly a Captain in the Indian Department in this Province I have the honor to forward to Your Lordship his memorial praying for half pay on account of his services in that capacity during the late War This memorial is accompanied by several certificates and by a representation from the head of the Indian Department in the Province

I have the Honor to be &c

P Maitland

"The
Earl Bathurst K G
&c &c &c

"To the Right Honorable Earl Bathurst Secretary of State for Colonial Affairs &c. &c &c

"The Memorial of William Johnson Kerr Esquire of the District of Gore in the Province of Upper Canada and late a Captain in the Indian Department

"Most respectfully sheweth

"That Your Lordship's Memorialist was appointed Captain in the Indian Department at the commencement of the late War between Great Britain and the United States of America by the late Major General Sir Isaac Brock and served under the following Officers viz Major General Sir Isaac Brock Major General Sir Roger Hale Sheaffe Major General Vincent Lieutenant General Sir Gordon Drummond Major General Riall and Colonel Claus of the Indian Department and was in most of the actions fought on the Niagara frontier

"That your Memorialist had the honor to command about five hundred Indian Warriors on the 24th day of June 1813 and attacked a much larger force of the Enemy under the command of Colonel Boerstler and obliged him to surrender after a severe engagement of two hours in which action were captured about six hundred prisoners of the Regular Army two field pieces one six and one twelve pounder two Baggage waggons two tumbrells five hundred stand of small Arms forty horses and a stand of Colours on which occasion there was not a single cartridge expended by His Majesty's regular forces neither were there a single soldier or militia man killed or wounded—That Major Genl. Vincent in his official dispatch of that affair gave the whole credit of the affair to Lieut Fitzgibbon of the 49th Regiment when in fight it was due to your Memorialist and the Indian warriors under his Command as will appear evident to Your Lordship from the Letter of Sir John Harvey Depy Adjutant General at the time as well as that of Captain FitzGibbon himself who commanded a small detachment of the 49th Regiment, consisting of about fifty men who were not in the action although they arrived at its close The report of the Battle transmitted by Your Lordship's Memorialist to Colonel Claus Deputy Supt General of Indian Affairs was not noticed by Major General Vincent in his official despatch Your Lordship's Memorialist begs leave to refer to Lieut Colonel Bishopp's report of that action as is copied in the Annual Register for that year Your Lordship will perceive from the Letter of Colonel Evans (then Major of Brigade) that the favorable result of that action effectually checked the Enemy's marauding parties along the Niagara frontier to the great relief of the inhabitants His Majesty's subjects.

Letter from James FitzGibbon

More than two years later probably in compliance with a request from Captain Thomas Coleman who had commanded the Montreal troop of Canadian Light Dragoons FitzGibbon acknowledged the service rendered by a party of his men at the Beaver Dam

York, Upper Canada,
26th April, 1828

"I served in Upper Canada during the late American war and have seen something of the services of the troop of Provincial Light Dragoons raised in Lower Canada by Captain Coleman On the 24th of June 1813 a detachment of that troop arrived most opportunely in front of a detachment from the American Army whose commanding officer I was then negotiating terms under which the detachment was to surrender themselves prisoners of war The detachment did surrender and I have no doubt that the appearance of the cavalry had a favorable effect and contributed to make them surrender The numbers of the enemy exceeded 550 men including about 50 dragoons with two guns tumbrils waggons, &c The British troops present at the moment the terms were agreed upon consisted of a detachment of the 49th Foot under my command not quite 50 men and about 20 dragoons of Captain Coleman's troop with a body of Indians From this force the American detachment might without difficulty have retreated had they known its amount and the direction of the roads in the vicinity

"The other services of the troop I did not witness but of the character of its commander and the conduct of the troop I had often heard favorable mention made

James FitzGibbon
"then Lieut in the 49th Regt"

Four years afterwards when seeking preferment from Sir John Colborne who had succeeded Sir Peregrine Maitland as Lieutenant Governor of Upper Canada FitzGibbon presented another memorial giving a detailed account of his military services in the war

"EXTRACT FROM A MEMORIAL FROM JAMES FITZGIBBON TO SIR JOHN COLBORNE DATED AT YORK 4th JUNE, 1832"

"Humbly sheweth

"That Your Excellency's Memorialist was Lieutenant & Adjutant in His Majesty's 49th Regiment in Montreal in Lower Canada when the Government of the United States of America declared War against Great Britain in the year 1812 That desirous of being employed in the most active service he solicited leave to resign his Adjutancy and was by the authority of the Commander of the Forces permitted at once to give up the duties of that office whereupon the Commanding officer of his Regiment placed him in command of a company That he was forthwith employed to escort a Brigade of Boats 24 in number from Montreal to Kingston with ordnance stores of great importance to the Posts in Upper Canada at that Crisis That this service was successfully performed and on returning to Montreal he found his Regiment under orders for Upper Canada and proceeded with it back to Kingston That in January following he was selected to conduct to the Niagara Frontier a Brigade of 45 Sleighs with Stores where he arrived on the 18th of that month and was four days afterwards detached with the company under his command to the most distant outpost dependent on Fort Erie That after the action at Stoney Creek in June following he applied for and obtained leave to select a Detachment of 50 Chosen men—to be employed in advance of the Army and with authority to act against the enemy as he pleased and on his own responsibility solely That he advanced from the Army at ten o'Clock at night of the same day on which he made the application having during that day selected the Men for his detachment and transferred the company he commanded with their accounts to another officer and on the 24th of the same month aided by a body of Indians he captured a chosen Detachment of the Enemy sent out from Fort George expressly to capture your Memorialist and his small Detachment which Detachment of the Enemy consisted of upwards of 550 men of whom 50 were cavalry with also two Field

Pieces a six and a twelve pounder and four Tumbrils and Caissons That for this successful operation His Royal Highness The Prince Regent was graciously pleased to promote him to a Company That during the remainder of the War he was constantly in the advance parties of Militia frequently under his command except during short periods in Lower Canada whither he was sent three times during the War That during the Operations on the Niagara Frontier in 1814 the Lieut Colonel and the Major of the Incorporated Militia were successively wounded and sent to the rear and after the departure of the last wounded of those officers Sir Gordon Drummond was pleased to appoint your Memorialist to the command of that Corps which command he held during the remainder of the operations before Fort Erie and until the Lieut Colonel was so far recovered as to resume his Command when your Memorialist returned to his Company That in February following he was sent from Kingston to Quebec to recruit from limited service men then in that City waiting the opening of Navigation to be sent home to be discharged but the ratification of the Treaty of Peace being announced he was sent back to his Regiment in Upper Canada having under his command one hundred men who had volunteered and who were marched by him over the Snow to Kingston That in the year 1816 the Regiment into which he had been promoted was disbanded and he was placed on half pay "

This was accompanied by a copy of a letter from Sir George Prevost and a memorandum by Sir John Harvey commended his conduct very warmly

From Sir George Prevost to James FitzGibbon

Head Quarters — Kingston
"29th June 1813.

"Sir

It is with much satisfaction I take up my pen to acknowledge the high sense I entertain of your distinguished conduct in the management of the affair which terminated in the surrender of Colonel Boerstler's detachment from the American Army on the 24th Instant

"The impression under which I address you cannot leave a doubt in your mind of the nature of my disposition towards you and of my intention of submitting the detail of your services to His Royal Highness The Commander in Chief's consideration

"I have the honor to be &c

'George Prevost

"Lieut FitzGibbon
"49th Regt "

Memorandum by Lieut.-Colonel John Harvey

"Lieut FitzGibbon was permitted to select the Men for this service and their conduct proved the discrimination evidenced in the Selection both with respect to the Enemy and towards the Inhabitants their conduct was admirable

The Lieutenant himself displayed most valuable qualities as a Partisan Officer and the detachment in every respect fully answered the purposes for which it was formed

"J Harvey
Lt Col D A G

"Kingston Upper Canada
20 December 1814"

(From copies attached to FitzGibbon's Memorial to Sir John Colborne of 4th June 1832)

The want of necessary supplies had prevented Vincent from advancing with the main body of his small division as he was obliged to rely almost entirely upon the resources of the adjacent country for subsistence and transport Acting on the advice of the magistrates in their recent addresses he had with apparent reluctance and misgiving published a district order announcing that martial law shall immediately come into effect as far as supplying the wants of the army under any plan or the sending away or apprehending all traitorous or disaffected persons may render expedient"

From J C. Herries to George Harrison

The loss of provisions and military and naval supplies destroyed in the magazines and storehouses at York and Fort George was reported to be serious and extremely distressing as they could only be replaced by precarious shipments from England at an uncertain date This is shown in a letter from J C. Herries dated at the Commissary in Chief's office in London on the 31st July and addressed to George Harrison secretary to the Treasury Board

I have the honor to state to you for the information of the Lord's Commissioners of His Majesty's Treasury that Mr Robinson in a letter dated Quebec 19th ultimo reports his having received Letters from Depy Asst Commissary General Crookshank at York apprizing him that the Army under General Vincent had been obliged to retreat and had taken up a position at the Head of Lake Ontario and that in consequence of the Army's Retreat from Fort George Mr Crookshank apprehended that most of the supplies at that place had fallen into the Enemy's hands.

Mr. Robinson also adds that from other Sources of Information he had learnt that the Sloop of War on the Stocks at York with all the Marine Stores for completing her in building, rigging, &c. were burned.

From Hon. John Richardson to Simon McGillivray

The gloom and depression caused by these reverses were very forcibly described in a private letter to Simon McGillivray, then in London, dated at Montreal on 7th June, 1813, and probably written by Hon. John Richardson, a member of the Legislative Council of Lower Canada, and a partner with McGillivray in the Northwest Fur Company and later the reputed author of "The Letters of Veritas."

The first ships from Quebec are to sail on the 10th Inst., at least a month later than I expected, for I thought our Governor would have been solicitous to send off a vessel early with an account of our political situation, which must excite a little interest even in England.

Since the Navigation opened in April the enemy has carried on his operations unmolested for the subjugation of the Upper Province—The recent surrender of Niagara has gone far towards the completion of his wishes, as we thereby are cut off from all Communication with the Country beyond it and I am very apprehensive that in return for the bravery and gallant Conduct of General Proctor, who has so successfully fought and so repeatedly beat the Enemy, and who with very little assistance has hitherto kept possession of not only our own Territory but that of Michigan, he is doomed to become the prey of an overwhelming force or be forced to surrender for want of supplies of provisions and Ammunition. He may save himself if the Indians soon join him in force by pushing off to River La Tranche and uniting with General Vincent at the head of Lake Ontario, but it is dubious if the latter will be able to maintain his position, and it is certain he will not if we do not beat the Enemy on the Lake. A failure in the latter instance would enable the Americans to land Troops and cut him off from Kingston, which would be a fatal blow to him and General Procter. Our ships have sailed to supply our little Army with Provisions and Ammunition.

"An attempt may perhaps be made by Genl. Vincent to go to the assistance of Procter, but it will be a bold measure & its success in keeping Detroit &c. must depend on their being strongly supported by the Indians.

Dickson is expected to arrive at Detroit with a considerable number about this time, but I am afraid they they will be inefficient when they find us without supplies and hear of our Disasters lower down

As the events that have been passing in this Province since the commencement of the war seem to have excited little or no alarm for our safety it may be that Government will not be a little surprised when they learn what has happened—But that will be singular for the Enemy has proclaimed his intentions his preparations have been seen and known since October last if not sooner & nothing else could be expected Believe me that after General Brock defeated Hull and rendered abortive the designs of the American Govt on the breaking out of the American War every misfortune which has befallen us has arisen from the infatuation of our own Government in not sending Troops and a few sailors to the Province & rendering not only unavailing but injurious to us (by exhausting our small force) the very victories that we have so hardly and with so much difficulty obtained

At the commencement of the War we had on Lake Ontario five fine ships carrying from ten to 20 Guns when the Enemy had only one 18 Gun Brig and four or five paltry schooners Strange however to relate we had not a Sailor nor Captain to command them that had seen a shot fired & when sent to capture with our whole Force the Enemy's Brig they ran away because a 32 Pounder was fired at them from the shore and they were afraid it would hit their vessels It is also a fact that two of our Vessels of 12 & 15 Guns each would not approach a schooner with one gun and the latter got off in triumph loaded too with Military Stores—When the enemy found us thus despicable they set seriously about recruiting their Navy and had so far succeeded by the end of Oct that they took all our Merchant ships but one and blockaded our ships of War in Kingston Had Government been pleased during the Summer to have sent us about 250 Sailors to fight our ships the force of the Enemy would have been annihilated their Harbour render'd useless and they never could have had it in their power to enter into competition with us on the Lakes where they only had one Fort Thus the very foundation of our Misfortunes would have been destroyed for without ships they could not have collected such large bodies of Troops at any given place nor have made any descent on our side of the Lake nor yet have prevented us from reinforcing as was required such points as they threatened with attack

But not a Sailor was sent us till the Spring and tho' they arrived after a most fortunate passage & were sent off with uncommon expedition and exertion they were only 450 in number and the blow was struck beforehand The deficiency of Sailors was soon perceived but other causes within our own Control succeeded to distress us The first was the Armistice between General Prevost and General Dearborn whereby Genl. Brock was stopped in the Career of Victory and the Enemy got time to strengthen their Works collect their forces and prepare for us the battle of Niagara in October This sanguinary Contest in which that excellent and ever to be lamented Officer General Brock lost his life was so favourable for us that the whole of the Enemy were kill'd or taken & what did his successor Major General Sheaffe do? He liberated all his Prisoners but the Regulars & made an immediate Armistice to give them time to collect forces for another attack This they did in the face of our Garrison who could have destroyed their whole fortifications and taken their cannon with only 100 men so reduced were they after the Action.

But as soon as General Smyth had collected 6 or 7 000 Men & brought his Boats to a convenient Spot for crossing he informed us that the Armistice was at an end and again attack'd us He was defeated and their line was subsequently left to the care of about 500 men & could easily have been taken but as on all former occasions we were not allowed to attack them 'We would irritate them and that would unite them' said some of our wise men and then they would be sure to Conquer us' The same policy has been adopted by our Government throughout They have allowed the enemy to inflict misery on us when and where he chose and have prevented us from retaliating when in our power In one solitary instance at Ogdensburg we retaliated and the Governor General's order apologized for it Till the end of February the whole of the Enemy's Navy lay in Sachett's Harbour guarded by about 500 Men and that only 40 miles distant from Kingston and at least 2 000 men could easily have been sent over yet the golden opportunity was neglected the Enemy perceived his danger and sent several thousand Troops to guard against it

From that time they began their preparations which have ended in the capture of our whole line with all our valuable stores Guns & Provisions at Niagara with the sacrifice of 3 to 400 valuable lives & the pillage and ruin of all the Inhabitants in that part of the country The grand outset at York cost them (the Enemy) 700 Men that of Fort George near 3 to 400 so that they have not obtained a bloodless Victory

Another and very serious piece of misconduct on our part was the building of a new ship (a Frigate) at York where there was neither fortifications nor Troops to defend it and where it could be destroyed without the Enemy's landing. There was not a man in the Country besides them who laid it down that did not predict that it would be burnt on the opening of navigation & such was the unhappy fate of that ship that had it not been burnt it was next to certain there was not water to launch it or soil that would support the ways, for tides do not rise in Lakes and a deep marsh is not well calculated for supporting a heavy weight It would also have been necessary that we should be Masters of the Lakes to be enabled to transport to York the Guns Anchors Cables & other materials and if previously Masters of the Lake there was no occasion to build that ship The expense of building there was also double what it would have been at Kingston where it would have been in company with the rest of our Ships and in perfect security

"This ship which if we had Guns and Sailors, would now have been ready to go out would undoubtedly have made us complete Masters of the Water and the want of it may not only occasion our defeat but endanger or even cause the loss of Upper Canada

"With such ships as we possess Sir Jas Yeo sailed from Kingston to assist General Vincent on the 3rd Inst and if Com Chauncey with his 19 sail against our six feels bold a battle must very soon take place I have all the confidence in Sir James that his high character deserves, and hope success tho the odds in ships Metal and Men are much against him I am not yet of opinion because the American Frigates have beat ours that we are not superior to them and tho Chauncey is deemed a good Officer I think Sir James is at least his Match A drawn battle will not suit us for the Enemy can soon recruit both ships and Men but we cannot We have only a Schooner on the Stocks they have a Frigate

If Chauncey does not come out till the new Frigate is ready which will be in a month we shall be badly off for he will then have a superiority we cannot oppose We ought in such case to send 3 or 4,000 men down to Sackett's Harbour and I am confident that with the assistance of our fleet we will destroy them If we can do that we may recover Niagara but I am afraid we cannot do it otherwise

"Indeed it would be folly to attempt it with less than 4,000 Regulars assisted by our Fleet the Militia and Indians.

"The Americans have at least 10,000 men on our side and can destroy Batteries carry off Guns and render the Post untenable but by superior numbers If the Enemy beats our Fleet we must try to keep Kingston which will be difficult to do as they can cut off the communication between that place and Montreal and prevent supplies from being forwarded

Thus our situation is not the most agreeable and we have little prospect of its being better A great part of the intended reinforcements for this Country is to come from Halifax yet strange to say tho the Troops were there since March if not sooner none of them have yet appeared altho the Sailors arrived from Europe a month ago.

'Those from Cadiz have not arrived nor any others but 1500 men from Ireland partly raw Recruits One would really imagine the Govmt expects this extensive Country is to be maintained against the population of the United States by a handful of men for if only 6,000 Troops came out this year they may indeed with the sacrifice of every comfort of the Inhabitants and of their ordinary pursuits enable us to defend the Lower Province but as to acting offensively it is a mere farce

"The Enemy will be much elated with his late success, and will readily get as many Volunteers as he chooses to molest us in the Upper Province and threaten us here This will divide our small force and render it inadequate to any enterprise

I shall not be surprised if in the course of three or four weeks we have 8 or 10 000 men on our lines

An alarm was given us the other day when two of their Armed schooners of 11 Guns each attacked four Gun Boats we have a little beyond Isle aux Noix We luckily took them and they will be of great service to us on Lake Champlain where we had not a Vessel

We are in general very badly off for intelligence of the Enemy's operations because economy will not admit the expence of obtaining it while on the other hand we have a considerable number of Americans residing in the Province who give their Countrymen all the information they can wish The business of York has given such a disgust to General Sheaffe that he never can have the least influence in that Province The Enemy not only got the public Stores there but we did not remove the Military Chest in which there was £2 500—the Royal Standard was left but fortunately must not have been found by the Enemy and we think was consumed with the Government House and what may be more injurious to us still, no part of the correspondence of Government or any of the confidential papers were removed The Enemy got them all and a portion of them will very probably hereafter decorate the Columns of the American Gazette—I shall say nothing of the manner in which the defence of the place was conducted as opinions are divided but it is very harshly censured

"To come to our actual situation I shall confine myself to observing that nothing but a Naval Victory can save any part of the Upper Province above Kingston and if we are beat the latter place as well as the whole of that Country must I fear fall.

"The system hitherto pursued of not attacking the Enemy however fair the opportunity has been our ruin and if continued must involve us all in distress & cause our subjugation—Should we fortunately obtain a decided Naval Victory we shall probably be able to drive the enemy out of the Upper Province as we need not keep a strong garrison at Kingston and our whole force may be directed to one point. I am not without hopes of success and am convinced that Sir James Yeo will beat them if anybody can. They have at least 1000 good sailors which is more than double our number.

But we are not disheartened as the disposition of the People is good & both by Water & Land we shall give many hard blows before we surrender. The 8th Regiment has suffered severely in the Actions at York & Fort George and the officers in General have borne their share of the Misfortunes of the day. None of our Friends at Niagara are killed.

(Q 125 pp. 87 100)

From McGillivray to the Secretary of State

Mr. McGillivray transmitted the above extract from his friend's letter to the office of the Secretary of State for War and the Colonies in a covering letter dated at Cannon Street on August 10, in which he made some significant comments.

"In corroboration of my correspondent's observations," he wrote, "I can state one fact which may perhaps not have come to your Lordship's knowledge—On the very evening before the Action at Queenston (Niagara) in which General Brock fell he wrote a letter to a friend in Quebec expressing his decided disapprobation of the system of forbearance by which he was prevented from crossing the River to destroy the means which the Enemy were preparing (actually in sight) to attack him when and where they thought fit—He complained bitterly that 'his hands were tied up'—wished that he was employed with Lord Wellington or on any service or under any circumstances different from those in which he was then placed—On the following morning he was attacked and fell and with him fell the best hopes of the people of Upper Canada.

I shall not further intrude upon your Lordship's attention than merely to express my earnest hope that effective succours may be sent to Canada before the close of the Season—Seamen and Marines for Lake Erie and Lake Ontario are particularly and indispensably requisite if Upper Canada is to be defended and the defence of that province, remote as it is, is so necessary to the interest of this Country and the honor of the Crown, that a doubt cannot be entertained as to the intentions of His Majesty's Government upon the subject.

"If Lake Ontario was accessible to ships from the Atlantic Ocean I have no doubt that a sufficient portion of His Majesty's Navy would be sent thither to destroy any Force which the Enemy could collect and the question now is shall a sufficient number of Men without the Ships be sent thither for the same purpose?

"I am perfectly aware," he took care to add discreetly, "that the comments of private individuals upon public measures are frequently liable to error from their being not sufficiently informed of all circumstances of the case or the consideration which may have led to the adoption of the measures complained of, but in the present instance I have occasion to think that the universal opinion in Canada accords with the observations made by my correspondent upon the impolicy of the system of forbearance by which the American Forces upon the Frontiers of Canada have been suffered to accumulate and collect for the Invasion of that Province, which have now made them so formidable and which since the opening of Navigation they have employed with so much effect."

(Q 125, pp. 83-6)

Lieut.-Colonel Cecil Bisshopp

Encouraged by the unforseen and amazing result of the fight at the Beaver Dam, Vincent immediately advanced his headquarters to the Twelve Mile Creek, and sent forward strong outposts to the line of the Four Mile Creek on the lake shore road, at the Cross Roads and at St. Davids, where they found comfortable quarters in the mills and farm houses. Cattle, sheep and pigs were taken without immediate payment and slaughtered for food out of sheer necessity and horses and waggons impressed for transport. General de Rottenburg arrived on the last day of June with a small reinforcement and assumed command. This increase of force aggravated the difficulties of maintenance as a small transport loaded with provisions and ammunition destined for its supply had been captured by the enemy. But the line of outposts was strongly reinforced and extended to Queenston in the expectation of cutting off all local means of supply from the invading army. The baggage of all ranks was cut down to the lowest point. An officer of the Royal Scots informed his wife that "no officer is allowed more than he can put under his arm and run with on all occasions"

An attempt to interrupt the enemy's line of communication on the opposite side of the river had then become practicable and early on the morning of July 5 the small post at Fort Schlosser was taken by surprise The same day a scouting party of the enemy was driven across the river at the Fort Erie ferry and an attack upon Black Rock was reported practicable by FitzGibbon This was successfully carried out on the morning of July 11 but heavy loss was sustained in re embarking Lieutenant Colonel Cecil Bisshopp who was in command received three severe wounds which at first were not considered dangerous They proved fatal five days later and his death was felt to be an almost irreparable loss During his few months of service he had become generally admired and respected by all ranks among the militia as well as the regular soldiers He was the only son of Sir Cecil Bisshopp baronet who afterwards became Lord de la Zouche He had already served with credit in Flanders Portugal and Spain and had been elected as member of the House of Commons for Newport in the Isle of Wight His death at the early age of twenty seven was scarcely less lamented than that of General Brock He rests under an altar tomb in the graveyard on Drummond Hill and his portrait has been selected as a fitting frontispiece to the present publication

FitzGibbon's Statement

A written statement by FitzGibbon preserved among the papers of Bishop Strachan shows that he claimed great credit for planning these operations

'On the declaration of war by the United States Government I resigned my commission of adjutant of the 49th Regiment in the hope of being employed on detached service as opportunities might occur I was immediately detached with an Escort in charge of a Brigade of Boats to Kingston in July and from thence in January following with a Detachment to Fort George

'From the vicinity of Fort Erie I was called in to join the army retreating from Fort George on the 27th of May 1813

"After the affair of Stoney Creek I requested the general to detach me in advance of the army with 50 men to be employed at my discretion—the request was granted and in twelve days after I captured Colonel Boerstler's Detachment of the enemy

'The Americans having been confined soon after to Fort George, I was sent to the Fort Erie frontier to protect the inhabitants from the plundering parties frequently sent from the enemy's shore On the night of the 3rd of July I planned an attack on the Posts of Black Rock and Schlosser to be carried into execution on the night of the 4th Boats could not be procured to cross to Black Rock whither I had marched on the night of the 3rd I then determined to cross in a small skiff with Colonel Burwell and Lieut Wm Kerby of the Militia volunteers for the occasion and burn the Block House and Navy Buildings behind Squaw Island At the same time I sent Ensign Winder and Volunteer Thompson of the 49th Regt to Chippawa with a note to an officer of the militia, who had just arrived there with 30 men requiring him to proceed under the direction of Mr Winder and attack Schlosser at Daylight next morning Col. Clark had happened to meet Mr Winder on his arrival and was pleased to approve of my plan and he took command of the party himself He took the place making Prisoners two officers and a few Men and brought away four large Boats a Brass Field Piece and a considerable quantity of small arms and other Stores

“The wind blowing fresh during the night made it impossible for me to cross to Black Rock the skiff being too small

“Notwithstanding that the enemy now knew I was on the Frontier I determined again upon attacking Black Rock having procured boats from below Two days afterwards I had everything in readiness when Colonel Bisshopp came up and informed me that he had obtained the General's leave to attack it himself and that my Detachment was to compose part of his Arrangements being made He attacked it on the 11th my Party leading the advance I was in possession of the place before he came up his boats having been carried far down in crossing the River The result of this affair is well known

(Ontario Bureau of Archives Strachan Papers Package Q)

From Major Fulton to Sir George Prevost

An unpublished letter to Sir George Prevost from Major J F Fulton one of his aides de camp who had been sent as his representative to de Rottenburg's headquarters shows that desertion had become alarmingly frequent

“12 Mile Creek 7th July 1813

“I am extremely sorry to inform Your Excellency that the desertions from the army lately have been very great No less a number than fifteen men from the 104th Regiment four of whom belong to their flank companies In consequence of the shameful conduct of this corps the Royals have been sent to relieve them. Three men have also deserted from the 41st Regiment, one of whom has been taken and is to be tried this day.

(Dominion Archives, C. 1024, p. 24)

General de Rottenburg was a stern disciplinarian, trained in a foreign army. He was not inclined to treat such a crime lightly. The private of the 41st who had been taken on his way to the enemy was tried, found guilty and sentenced to be shot to death. The sentence was instantly approved and carried out next morning in the presence of as large body of soldiers as could be assembled to witness it. A few days later five men of the 104th and a private of the Royal Scots, also taken in the act of deserting, were tried, found guilty, sentenced and shot in the presence of many of their comrades. Desertions then became rare.

When he had relieved General Sheaffe of the military command in the province, de Rottenburg had taken the oath as President of the Executive Council and Administrator of Civil Affairs in the presence of as many of its members as could then be assembled and announced the fact in a proclamation from Kingston on June 19. The arrival of the Governor General and the establishment of his headquarters at Kingston a few days later created an anomalous situation.

DeRottenburg supplemented Vincent's limited proclamation of martial law by another appointing certain magistrates as commissioners to take charge of the grain and livestock on farms abandoned by their owners or tenants who were supposed to have joined the enemy and dispose of such property to the best advantage for the subsistence of his army.

From Thomas Dickson to Edward MacMahon

A letter from Thomas Dickson of Queenston, one of these commissioners, to Edward MacMahon, the civil secretary, has survived.

"Thorold, 21st July, 1813.

"Sir,

"I am this moment favored with yours of this date and shall go out this evening and consult with Messrs. Street, Clark & Cummings, who are at present the only Magistrates left in this part of the District, and will either answer your letter more particularly thereafter or take the first opportunity of waiting on His Honor Major General de Rottenburg to give every information I am able respecting the number of meat cattle in the District of Niagara."

(C. 686, p. 68)

From Chief Justice Scott to General de Rottenburg

To remove any doubt of the validity of such proceedings Chief Justice Thomas Scott had been consulted and the advice of a committee of the Executive Council obtained This was given in a letter from Chief Justice Scott to General de Rottenburg

"York July 18th 1813

"Sir

"The Acting Attorney General has signified to me as Chairman of the Committee of the Executive Council by desire of Your Honor that after the possession of a part of our frontier in the District of Niagara by the American army many of the inhabitants disaffected to our Government joined the enemy & that some of them have left large crops of grain almost ready for harvest that unless some measures are speedily taken will be altogether lost He has also signified that Your Honor desires the Committee of the Executive Council to suggest some method by which you may be enabled to secure for the benefit of the public the produce of the lands thus treasonably abandoned

"The Committee after serious consideration beg leave respectfully to submit that if it is inexpedient to commit to any of the military departments the carrying into effect the measures proposed the plan suggested by Your Honor ought to be adopted in appointing Commissioners in the districts where the inhabitants have so deserted their lands to report upon the cases that do occur to make the necessary arrangements for the preservation of the grain to appreciate its value and receive and answer any claims that may arise by reason of the execution of their powers

"The Committee beg leave further to submit as their opinion that the Commissioners ought to be appointed by Your Honor from the Magistrates of the Districts where the lands so deserted are situated "

(Sundries Upper Canada 1813)

From John B. Robinson to Edward MacMahon

A letter from John Beverly Robinson the acting attorney-general to Edward MacMahon contained a draft of a proclamation and gave further legal advice

"York July 23rd 1813

"Sir

"In obedience to His Honor's desire signified in your note of the 20th instant I enclose draft of a proclamation upon the principles mentioned in the Chief Justice's letter

"At the same time I beg to be permitted to state through you to His Honor that according to my impression of the matter the reference to the Executive Council was merely to obtain the sanction of their advice for the adoption of a measure by His Honor not precisely consistent with legal provisions but perfectly equitable in itself and absolutely necessary in the present situation of the country It could not be expected that although they acknowledged the necessity of the object to be obtained and recommended the adoption of some measure to reach it the Executive Council could furnish the means because any step taken to that end must in some degree anticipate the operation of the law and of course cannot be in conformity to its rules The Council have no other means than the laws afford them of enforcing obedience to any order consequently if they make an order not sanctioned by the law they have no power of enforcing it at all and should a Commissioner in acting under this proclamation meet with opposition he must be supported by the military authorities

"In fact a particular measure highly yet not strictly warranted by law is found absolutely necessary for this supply of His Majesty's troops defending this Province The Executive Council appointed for His Honor's guidance and advice have upon reference acknowledged the necessity and recommended the adoption of a measure to meet it As president of this Council and as an Act of that Council His Honor cannot enforce that measure As Commander of the Forces he can It seems better then for the sake of consistency and propriety and that every department may preserve its proper functions that the measure should expressly originate in that power which only can produce or uphold it

"Upon these grounds I take the liberty of suggesting that instead of publishing the enclosed proclamation His Honor should by a military order or notification as Commander of the Forces appoint the Commissioners mentioned in that instrument and make such order for the regulation of their proceedings as he may deem expedient and I am the more free in this recommendation as I observe that the letter of The Honble Chief Justice merely suggests the appointment of Commissioners without expressing by what authority they should be named His Honor's discretion however will determine and I trust what I have said will be found intelligible and reasonable

N B

"I take the liberty of sending a form of notification which His Honor may adopt a copy of which or of any more proper that may be chosen should be sent to each person named as Commissioner and several other copies affixed in places of notoriety"

(Sundries Upper Canada 1813)

Following this advice a district general order was issued dated at the army headquarters St Davids on July 24 appointing Richard Hatt Samuel Hatt Richard Beasley Robert Nelles Abraham Nelles William Crooks Samuel Street Senior Thomas Clark Thomas Dickson John Warren Crowell Willson and Thomas Cummings as commissioners to take charge of the abandoned property "to husband the same to gather in the grain and dispose thereof to the best advantage for the legal claimants"

From Prevost to de Rottenburg

The subject of the punishment of persons arrested for treasonable conduct by martial law was referred to Sir George Prevost as Commander in Chief for his advice which was given in a letter addressed by him to General de Rottenburg from Kingston on July 28.

"I have had the honor of your letter of the 24th inst requiring my opinion and advice respecting the mode of proceeding against persons charged with treasonable practices during the existence of Martial Law in the Niagara District If Martial Law has in fact been regularly proclaimed in the Niagara District I conceive that little difficulty will exist upon the subject as in that case under the 15th & 16th articles of the 14th section of the Articles of War persons accused of the crimes you mention may be brought before a General Court Martial which you are already authorized to convene and may be tried and punished by it but I have some doubt whether Martial Law does at present exist in the Niagara District to the extent that would warrant a Court Martial to take cognizance of such offences if committed by those persons

"The declaration of Martial Law by the District General Order published by Brig General Vincent and the authority given him by Major Genl Sir R Sheaffe was merely for the purpose as far as my recollection serves me of getting a supply of provisions for the troops and to authorize the seizure of such supplies from persons withholding them

"If from the circumstances of the enemy being in possession of part of the Niagara District and the danger consequently to be apprehended from the traitorous practices of those who are disposed to favour them you deem Martial Law necessary to be enforced then as President of the Province having power to declare it you ought in my opinion to put that District under Martial Law and thereby to suspend for such time as you may think it expedient the jurisdiction of the ordinary Courts of Law. When that is done there can I think be little doubt that persons accused of the practices alluded to might be tried under the 15th and 16th articles of the 14th section of the Articles of War before a General Court Martial to be assembled in the usual manner."

(C. 1221, pp. 143-4)

The manner in which the commissioners carried out the duties imposed upon them is indicated in the following certificate:

"John Mann having applied for leave to take care of the Stock and grain on the farm abandoned by Ebenezer Kelly in the township of Grantham by virtue of the power vested in us by General de Rottenburg we hereby agree that John Mann should take possession of the Grain & stock on the said farm and as soon as possible render unto us an account of the same—witness our hands at Stamford 28th August 1813

Thomas Dickson J.P.
Thomas Clark J.P."

(Dominion Archives, Sundries, Traitors & Treasons, War 1812)

The burden of the war bore heavily on all classes of the inhabitants in the seat of military operations in the Niagara District under the limited application of martial law. When General Vincent retired to the head of Lake Ontario on the evening of May 31, he established his headquarters in the house of Colonel Richard Beasley, then commanding officer of the Second Regiment of York Militia. Finding the adjacent lands were a fine defensible position, he determined to occupy and fortify it as a depot for supplies and a temporary naval base. It then became known as Burlington Heights.

Beasley was a cousin of Hon. Richard Cartwright and had in early life been an assistant commissary at Fort Niagara. Afterwards he became a fur trader at Toronto but settled at an early date in the township of Barton. He bought a large tract of land on the Grand River from the Six Nations, part of which he had sold profitably to settlers from the United States. He had represented Durham, West York and the first riding of Lincoln in the second parliament of the province and West York, the first riding of Lincoln and Haldimand in the third parliament. He had been elected speaker in the third session of that parliament and was without doubt a person of considerable importance. The claim for compensation which he presented after the war had ended and possession of his farm was relinquished on the first day of September amounted to £3,475 17/ Halifax currency. He acknowledged the receipt of £225 as rent for his house, £75 as rent for his barn and £168 15/ as rent for his storehouse from the 1st June, 1813 until the 1st September, 1815.

His Claim was accompanied by the following letter:

From Richard Beasley to the Board of Claims

"To the President and Gentn composing the Board of Claims at Fort George

"Gentn

"I have thought it necessary to Accompany my Ac't with a letter containing a statement of a few facts which can be Substantiated by most of the Magistrates of the District of Niagara. I was in the year 1813 situated on a farm in the Township of Barton in the District of Niagara consisting of nine hundred and fifty Acres of land one hundred and sixty of which was cleared and under farm, their was on the premises a Brick House, Barn, Store house and Out houses, an Orchard containing two hundred bearing apple trees, a Garden with a number of choice fruit trees and a Nursery of Young Apple trees. I depended on the product of my farm for the support of myself and family which consisted of myself wife and eight children besides servants. My premises on the 1st of June 1813 was taken forcible possession of by his majesty's Troops under the Command of General Vincent, the provisions I was then provided with for the Support of my family as well as my crops that were growing was totally destroyed by the Army and I was prevented from Sowing my Buck Wheat & Other Grain, myself and family had to leave the premises and seek shelter where we could find it. Shortly after the Battle of Stony Creek which was On the 6th of June 1813 the Army commenced fortifying on my premises, the Destruction that they and the Indians who were encamped on my Land and made in my timber was Astonishing, my farm and Buildings are left in a most Desolate Situation, the depreciation and Waste of my property at Burlington has been Great will be Admitted I presume by persons who have had personal knowledge of the situation of the premises previous to the War and the state they are in at the present time.

"I am Gentn your humble Servant,

"Richard Beasley

"Barton 12th Septr
1815"

From Mrs. Hannah Frey to Lieut.-Gov Gore

After the advance to the Four Mile Creek the farm houses barns mills storehouses and buildings of every description were occupied for military purposes from the lake to St Davids and ultimately to Queenston The fences were torn down to permit free movement of troops and were then burned as firewood. Timber was recklessly cut down to form breastworks and shelters or merely to clear the ground in front The farm belonging to Mrs Hannah Frey at the Cross Roads became the main position of Vincent's force Her misfortunes were briefly and reticently stated in a petition addressed to Lieutenant Governor Gore dated at Niagara on the 20th February 1816.

'Your memorialist is the widow of the late Captain Frey formerly belonging to the Corps of Butler's Rangers

'That the said Captain Frey Husband of your Memorialist was killed by a Cannon Ball from the enemy's Battery on the 21st of November 1812 She was thereby deprived of the benefit she received from his Half Pay

'That after your Memorialist experienced so ruinous and melancholy a loss she still derived some relief from the rent of a House in the Town of Niagara until a merciless Enemy destroyed it by fire with the rest of that devoted place.

"And a farm at the Cross Roads in the Township of Niagara which was occupied by His Majetsy's troops and Indians from the 17th of July till the 9th of October 1813 during that time they destroyed it by making Batteries Breastworks and Incampments and burning fences which has rendered it useless ever since

"That the many severe losses sustained by your Memorialist has reduced her circumstances to the lowest ebb

'Your Memorialist therefore prays that your Excellency will be pleased to give her such relief by way of a Pension or otherwise as your Excellency in your wisdom may think meet"

This application was supported by a letter from Colonel Robert Nichol then a member of the Legislative Assembly who having been Quartermaster General of the militia during the war knew her situation well It was addressed to William Halton the Lieutenant Governor's civil secretary and dated at York on the 26th February 1816.

Having been applied to by a Mrs Frey of the Niagara District to state her case to His Excellency the Lt Governor I beg leave to observe that Her late Husband Captain Bernard Frey was on duty at Niagara on the 20th November 1812 as a Volunteer & was on that occasion killed by a shot from the Enemy's Batteries

"Captain Frey was on the half pay of the late Corps of Butler's Rangers and was a very loyal & zealous subject— The following year when the Enemy got possession of the country Mrs. Frey was on a charge of sending intelligence to the British Army taken prisoner & sent into the States & when the British army at a subsequent period advanced to the four Mile Creek it encamped on her farm—having destroyed her Fences cut and destroyed her Meadows & Fields for the purpose of entrenching themselves by which she sustained great injury—Mrs Frey thinks that on a representation of her case to His Royal Highness He will be graciously pleased to order her a pension agreeable to the scale for officers widows & hopes that His Excellency will be pleased to interfere in her behalf."

Losses Sustained by George Adams

George Adams who was a magistrate and a lieutenant in the First Regiment of Lincoln Militia had been dangerously wounded in the battle on the 27th May and taken to his home in the small village at the bridge over the Twelve Mile Creek which had lately received the name of Saint Catharines When General Vincent advanced to that place his headquarters were established in his house probably the best available building His claim for compensation shows that this fact did not save him from the insistent demands of a force living on the resources of the country they were engaged in defending

"Statement of Losses sustained by George Adams of the Township of Grantham by His Majesty's Troops and Indians in the year 1813 commanded by General Vincent

49 sheep killed and Carried away by the Troops and Indians under the Command of General Vincent in July 1813 when on the advance from Stony Creek at 15/ each	£35 11.0
37 fat Hogs taken from my Distillery at 20/ each	37 0.0
one Horse Waggon taken by Doctor Thomas for the use of the Hospital (never Returned) on the Retreat in October	15 0.0
a Receipt given by Mr Inglram of the King's or 8th Regt for thirteen days of my team which I afterwards lost and never received Payment for at 15/	9 15 0
	£98. 5.0

After the second retreat of the army in October 1813 his known loyalty and the fact that he was an officer in the militia and a magistrate was considered a sufficient pretext for raiding his house and carrying him away as a prisoner of war In a second raid his distillery was destroyed

Statement of damages sustained by a Party of the American Army under the Command of General Porter and Colo Hopkins to Geo. Adams of the Township of Grantham in the month of October 1813

“two Dispatch Horses which had just come off Duty From Major General Vincent Taken by General Porter upon the 11th October 1813	£ 50.0.0
“two Saddles and Bridles Ditto	10.0.0
“A Large Distillery with three Copper Stills &c Burned and Destroyed by a Party of the American Army under Command of Col Hopkins on the Night of the 19th October 1813	250.0.0
“this Distillery was situate in the village of Saint Catharines in the Township of Grantham and was occupied as a Bakehouse for the use of his Majesty's troops from the time of Genl Vincent's advance from Stony Creek untill the Retreat from the Cross Roads in October	
“Halifax Cy	£310.0.0

ADDENDA

The following interesting contemporary account of the battle of Queenston Heights has been communicated to the editor by the kindness of Mrs James Brighty of St Catharines As it contains various particulars of that conflict not found in any other account no apology seems necessary for its reproduction as no copy of the "Bee" newspaper is known to be in existence and the introductory comments of the editor of the "Gleaner" Andrew Heron are not uninteresting

Extract from "The Gleaner and Niagara Newspaper, Saturday June 23 1827 Vol 10 No 32.

"We have inserted from an old copy of a weekly called the "Bee," edited by Mr Durand an account of the invasion of this Province at Queenston during the late war and containing the manner by which our beloved and much esteemed General Brock came to his death not doubting but it will be interesting to our readers although an old story

"A few copies of the transactions of that uneventful day have been struck off and are for sale by the person who has the care of Brock's monument

"We believe there are few travellers who pass the road from the Falls to this town but will take the opportunity of enjoying for some minutes the charming and extensive prospect from the platform of that monument We understand that a good telescope has been provided which will add greatly to the delightful prospect

"The extraordinary lenity shown to the Militia prisoners taken at Queenston was very impolitic and we now know had no good effect Had they been taken bravely defending their own country every person would have approved of these measures They would have then been performing a sacred duty but when they volunteered to invade a foreign country they deserved less lenity than regular troops who are obliged to go wherever they are commanded This however was only a continuation of the wretched policy that had been advocated by those who ought to have known better which led to the ruin that followed on this frontier

"Immediately after the declaration of war by the United States General Brock made preparations to take possession of Fort Niagara which it was well known could easily have been done—the works in a ruinous state and only a few men Unfortunately a Council of War was held at which some of our country gentlemen acted a prominent part and advised the General not to cross the line—the reason assigned was, forsooth that it would irritate the enemy

"During the time of the Battle of Queenston it was known that every person had fled from the Fort and although the General was urged to allow possession to be taken he declined Now we have no hesitation in stating that had the Fort been taken as it afterward was by the brave Colonel Murray without consulting the T O and W D and fortified as it afterward was this Town would not have been destroyed, and of course the Frontier on the other side would have been safe which was a loss to both sides and a benefit to none"

(Reprinted from the "Niagara Bee" of October 24 1812.)

"The unfortunate loss of the brave General Brock, early in the morning of the memorable 13th inst., in the battle of Queenston Heights for a while seemed to overcloud the brilliant sun of victory and the people paused to mourn their country's friend ere public rejoicing for the glorious issue of the day could prevail The loss is truly great and requires the pencil of an able panegyrist to paint it in its proper colours perhaps it is as well that it has fallen to our humble lot to blunt the poignancy of grief from our inability to portray the numerous virtues of the fallen Hero now lost to the people of Canada—forever lost General Brock was bold and daring even to excess—utterly regardless of danger—his country's good—the honour of England—the fame of Britain was his leading star—onward he moved and as he advanced swept in his train a series of gallant achievements to the page of history—terrible in battle—yet a most generous foe—a friend to humanity—he loved the inhabitants of Canada—their interests were his continual study their rights and privileges his sacred care to preserve—none suffered under his administration—even the guilty wretch sued confidently to him for mercy—can it be wondered then that he is universally beloved and that he is alas now equally regretted

"He died in the honourable bed of a soldier—the Field of Glory—peace to his shade—the grateful tribute of many a friendly tear has fallen from the warrior's eye and down the lovely cheek of female beauty in sad recollection of their forever lost friend

"The morning of the 13th most dreadful retribution was taken on the enemy for our misfortune—the carnage in the boats as they were crossing to invade our shores was horrible—whole boatloads of the enemy were annihilated by the fire of our Artillery and gallant soldiery whilst others overwhelmed with terror took refuge in a watery grave—until about a quarter of an hour previous to the death of General Brock every effort of the enemy to succeed in landing was foiled, except at the extreme point in the Queenston bottom, which from its situation, was entirely out of reach of our cannon—at this particular spot they had succeeded before break of day in landing a part of the 13th Regiment and three boats of Militia, and even here they were surprised by a detachment of the Head of the Lake Militia and a party of the 49th, who discovered them as day was dawning, all formed close under the hill The enemy received a volley, lost six men killed and wounded, and retired to their boats under cover of a steep bank, from whence a continued fire was kept up and returned from our side for about an hour with the loss of one man killed and four wounded

"It was from under this bank and the ledge of rocks up the river that the enemy first attempted to ascend a fisherman's path up the mountain, shaded by small trees and shrubbery from the view of our troops at the battery and elsewhere, at least until they got up in considerable numbers when they were discovered by a party near the stone house of Mr George Hamilton and immediate information sent from thence, twice toward the battery stating the circumstance—the first intimation was unfortunately disregarded and the last when the General himself was notified a small party of about 30 or 40 men were ordered to march with Lieut Col McDonnell joined by Major Robinson[1] as a volunteer from the battery along up the mountain to drive them back again—by the time however they reached the summit they found the enemy formed to the amount of about 200 men who immediately commenced firing and from the superiority of their number succeeded in driving our men back and came down on the battery from which General Brock and his small force retreated toward Queenston

It was in a small field near to the tavern formerly occupied by one Miller that General Brock received his mortal wound supposed to have been a musket shot fired from near the battery and which entered below his breast and lodged near his backbone The brave Chief had rallied his men and was in the act of cheering to the charge part of the Light Company of the 49th & some of the Militia when the fatal ball was received his exclamation was push on never mind me —and well did the men perform his orders for notwithstanding the disadvantages of being obliged to ascend the hill exposed to a heavy fire from the top (which by this time was covered with troops who had followed up the path before mentioned) and a cross fire from near the edge of the rocks on the river, where they found a fresh reinforcement of them, and who in their turn succeeded in forcing our party to retire on St David's and Vrooman's battery: and for a while they remained in possession of Queenston Heights and the Hill battery.

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[1] Probably Major William Robertson of the First Regiment of Lincoln Militia, a step-son of Hon Robert Hamilton

It was in the engagement last named that we regret the loss of Lt. Col. McDonnell, A.D.C. to General Brock—he was shot whilst on horseback encouraging the men. The Province of Upper Canada, by the death of Col. McDonnell, has been deprived of one of its most enterprising young men—the discerning eye of the Major General had singled him out, and was forming his mind to have become a prominent figure among us—fortune had already begun to lavish her favours, and her blushing honours stood thick upon him—he has appeared and passed away from us like a brilliant meteor in the firmament.

"The remains were interred beside his beloved friend and patron General Brock. But to return to our cursory account of the engagement.

Immediately after the enemy's getting possession of the heights, &c. it was thought prudent to retire on Vrooman's Battery to wait for reinforcements from Niagara; a party of Indians first arrived commanded by Captain Norton, who advanced through the fields towards the mountain and soon after the appearance of Major General Sheaffe gave new life and spirits to all present. His Honour was accompanied by his Aid de Camp Mr Coffin,[a] Capt Glegg,[b] Capt Holcroft of the Artillery &c &c. The most judicious dispositions were instantly made; full confidence seemed to inspire both regulars and militia, and they took the route through the enclosures towards the mountain having along two field pieces. The Indians by this time had brought the enemy to an engagement and gave them a fair sample of what the remainder of the day was to afford them.

"These brave tenants of the woods remained on the mountain and kept the enemy in check, whilst some of them like a flaming beacon stood prominently on the jutting rocks as a guide to our main body where to ascend most securely—nothing could be more forcibly impressive. The summit was gained with perfect ease and good order and the 41st and 49th advanced against the foe having on their left flank the Indians and Light Infantry of the 41st and on their right all the Militia.

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[a] Lieut.-Colonel Nathaniel Coffin, brother-in-law of General Sheaffe (1782 1846), afterwards Adjutant General of the Militia of Upper Canada. [b] Major John Baskervyle Glegg of the 49th Regiment, A.D.C. to General Brock.

"In this order they marched onward till they reached the point of formation in a field belonging to Mr Phelps[3] adjoining the main road from Queenston to the Falls and then a further reinforcement joined of Regulars and Militia from Chippawa under the command of Col Clark[4] and Capt Bullock.[5]

"The attack now began the Indians and Light Infantry of the 41st on the right and the two small field pieces dealing out a most tremendous fire upon the enemy who were in a small piece of woods that skirted the Queenston Camp. It was now that the rash invaders rued their attempt and fled with precipitancy terror adding wings to their feet and depriving them of reason. They hurried one another over the rocks and precipices with the utmost consternation and with a degree of destruction not to be described the dead dying and mangled lay in heaps under the rocks whilst the river received an immense number in its deepy bosom

"A flag of truce from those that remained begging for quarter ended the day and General Wadsworth, Colonel Scott and 71 other officers together with 853 men were made prisoners of war. The enemy's loss in killed and wounded could not be less than 400 or 500 men whilst ours strange to tell consisted of only 11 killed and 80 wounded the Indians lost only 5 men and 9 wounded. At any time during the day our force did not exceed 750 men—that of the enemy from the misstated Buffalo account was 1300 but we think that it was 1500 at least. To point out any particular officers or men who distinguished themselves in the late contest would be improper where all did their duty so manfully 'twere invidious to remark—the result—the glorious result—speaks too plainly to be misunderstood how nobly each arm upheld its country's cause

"Shall we omit to return our humble thanks to the God of Battles for his merciful aid on this splendid occasion? Inhabitants of Canada, it is most manifest that the hand of Providence is with us highly approving the justice of our cause and smiling at our efforts and struggles for our rights and liberties! He—He it is that gives us victory then let us ascribe all to him implore a continuance of His blessings and support—and come, Americans, come in legions of myriads to invade our land and you will find in Canada an untimely grave!

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[3] Probably Elijah Phelps see Russell Papers, Vol II, p 297 [4] Lieut-Colonel Thomas Clark of the Second Regiment of Lincoln Militia (1779-1837) a member of the Legislative Council from 1815 until his death [5] Captain Richard Bullock of the 41st Regiment afterwards Adjutant General of Militia for Upper Canada.

"On the 18th all the American Militia who were taken prisoners at the battle of Queenston, including the officers (and the wounded men indiscriminately) were sent across the river on their parole not to serve during the war, and even the officers' side arms were returned to them.

"We do not mean to criticise acts of our executive, but surely such lenity is not to continue forever! We only wish that the people on the other side may feel that gratitude for such unexampled generous conduct which it merits—no doubt it has been the consideration that the innocent militiamen were actually forced at the very point of the bayonet to cross the river that induced his Honour Major General Sheaffe to take pity on them. It is impossible, however, but that such generosity must strike even to their hearts, and when these men return to their peaceful home and hear old England's name abused and vilified, they will raise up involuntarily and deny the charge and tell the wicked partizans of France, 'tis false and villainous all that you say, for here we stand a living proof of the friendship of the British nation towards our country, and it is your base and insidious policy alone that has heaped such disgrace upon our country and caused the murder of our fellow citizens."

The printing press used in the publication of the Guardian newspaper had been sold early in June 1812 to Richard Hatt of Ancaster and his associates, who began the publication of the "Bee," having engaged James Durand as editor. The vivid and circumstantial account of the battle of Queenston reprinted above, apparently from the pen of a participant, was probably written by him. He commanded a flank company of the Fifth Regiment of Lincoln Militia recruited near the head of Lake Ontario in the battle of Queenston and his services were favourably mentioned in General Sheaffe's official letter and in general orders. In 1816 he was elected to represent the west riding of the county of York and the townships of Ancaster and Saltfleet in the Legislative Assembly in the place of Abraham Markle who had been expelled for deserting to the enemy. He became an active opponent of martial law. At the general election of 1816 he was elected as one of the members for the new county of Wentworth, but was expelled for libel on 7th March, 1817. He was re-elected and sat in the Assembly until 1820. He was a native of Wales, born in 1775, and died at Ancaster in 1833.

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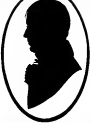

LIEUT.-COL. RALFE CLENCH 1762-1828

Founder of One of Niagara's Oldest Families

Joined Royal Standard as cadet in 42nd Regiment at the time of the American Revolution 1775. Later served in 8th or King's Regiment in Butler's Rangers and 1st Lincoln Militia. At Queenston Heights. First Judge Niagara District Court 1827. Sat in House of Assembly 1801 1805 1813

Silhouette taken in 1827

From the J. Ross Robertson Collection, Toronto Public Library

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No 41

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1930

RECORDS OF NIAGARA

No. 41

After an interval of four years in which he had acted as chaplain to the garrison at Kingston the Reverend John Stuart found an opportunity to visit the Mohawks on the Grand River and the settlement at Niagara, giving a brief account of his journey in the following letters.

* * *

FROM THE REVEREND JOHN STUART TO THE SOCIETY FOR THE PROPAGATION OF THE GOSPEL IN FOREIGN PARTS

"Letter dated Kingston Cataraqui, July 2nd 1788 in which he acquaints the society that he has just returned from his long intended visit to the Mohawks on the Grand River above Niagara That he embarked with Captain Brant & 4 other Mohawks on the 27th of last May & reached the head of Lake Ontario in nine days (distant from Kingston about 200 miles) from whence they proceeded on horseback about 25 miles to the village called New Oswego, where he was well received

'That on the Sunday following he preached & administered the Sacrament to 16 (four of them New Communicants) baptized 65 persons 7 of whom were Adults & married three couple That the Mohawk village is pleasantly situated on a small but deep River—the Church about 60 ft in length & 45 in breadth,—built with squared logs & boarded on the outside & painted—with a handsome steeple & bell, a pulpit, reading-desk, & Communion Table, with Convenient pews. That the Church furniture lately given by Government not having arrived (though at the date of Mr Stuart's letter at Niagara) he took with him the plate & furniture, which formerly belonged to their Church at Fort-Hunter—a small organ was employed in the Service But he was accompanied on his return as far as Niagara (about 80 miles) by Captain Brant & 15 other Mohawks who earnestly requested that he would visit them as often as possible which he promised to do. That finding he should necessarily be detained at Niagara some days for a passage & that no regular Clergyman had been in that extensive settlement since he had been there in 1784 he gave notice of his intention to preach on the Sunday Morning following when he preached to a crowded audience & baptized 37 Infants, which with those baptized in private houses during his stay there amounted to 72 of which 7 only were adults and he thinks a still greater Number remain unbaptized from the impossibility of collecting the children at such a distance on so short notice. That on the day before his departure from Niagara, the Commanding officer in conjunction with the principal inhabitants of the adjoining settlement, represented to him their want of a Clergyman & as they wished to have some previous personal knowledge of one to be appointed & many of the inhabitants had formerly been Mr Stuart's Parishioners at Fort Hunter, they promised that if the Society would allow him to accept their invitation, they would make him a liberal subscription, & give proper security for the due payment of it. That Mr Stuart gave them no encouragement to expect him at least till the Society's pleasure should be known, but advised them to invite Mr Frazer formerly the Society's Missionary at New Jersey."

(Journals of the Venerable Society for the Propagation of the Gospel in Foreign Parts, Vol 25 1787-1792, pp 120-1.)

At a later date Mr Stuart wrote to Bishop White of Pennsylvania

"Kingston (Cataraqui) Mecklenburgh District

September 4th 1788

"The increase of Population there is immense. And indeed I was so pleased with that Country where I found many of my old Parishioners that I was strongly tempted to remove my family to it. You may suppose it cost me a Struggle to refuse the unanimous & pressing Invitations of a large Settlement, with the additional Argument of a Subscription & other Emoluments amounting to near £300 York Curr'y p Ann more than I have here."

(These extracts have been made by the kind permission of Professor A. H. Young from transcripts in his possession)

The receipt of Mr Grenville's letter on the subject of alleged misconduct in the Indian department both at Niagara and Mackinac stimulated Lord Dorchester to order further investigation in the following letter

From Lord Dorchester to Sir John Johnson

Quebec 21st January 1790

Sir

The discontents among the Indians which I hear of from different quarters, must appear very extraordinary to you, and indeed to all who are acquainted with the very benevolent intentions of the King's government towards them

As this disposition originates with His Majesty so it runs throughout His confidential servants Both duty and inclination support it without diminution in the main channels of this delegated branch of His authority But before it reaches the Indians it seems wonderfully changed Mankind in general do not return discontents and murmurs for acts of kindness whatever instances to the contrary may occur from the perverse disposition of a few wrongheaded individuals and the Indians in particular however different their manners and customs are certainly not deficient in generosity of mind and gratitude towards their benefactors If therefore we reflect that this benevolent disposition on our part has brought forth benefactions to a considerable amount and occasioned an expense of about thirty thousand pounds yearly including the maintenance of the department for these last three years besides the sum of about twenty thousand given as a reward for former good conduct and that in return for all this we require nothing from the Indians the conclusion must be that some uncommon efforts are employed to produce an effect so *unnatural* to the human mind Yet this can scarcely be thought possible seeing the numbers of persons employed in the department, whose duty should prompt them to vigilance and the detection and exposure of all practices injurious both to the Indians and to the public

How it came to pass that a few distant and friendly Indians could be denied the common rights of hospitality at one of the King's posts who approves of so great an expence for the aid and comfort of the Indian Nations and that in direct disobedience of the second article of the Instructions for the good government of the Indian Department which requires that upon the "Arrival of parties of distant Indians at any of the Posts the Agent shall report the same to the Officer Commanding who with the officers of the garrison are to assist in receiving them which is to be done with every mark of solemnity and friendship and as after the usual ceremonies they will make known their wants their requests if reasonable are to be complied with " I am at a loss to comprehend as well as how notwithstanding this order the Agent for Indian Affairs at Niagara could tell the Six Nations in Council that he being absent the commandant at that post could not relieve them and this in consequence of late orders How came he to be absent from his duty particularly at that juncture? by whose leave did he quit his district? How came it to pass, that Joseph and David who have hitherto been treated with distinguished regard and favour by the Commandants and by all the English on account of their Attachment, should now speak of their treatment at the post of Niagara full of resentment, and complaint of personal slight and disregard? All these things appear to me very unaccountable—The entire confidence with which I rely on your experience, and well tried zeal for the King's service leaves me no doubt that you will use every exertion to investigate, and to inform me of the source of all these evils, as well as of the cause of the still subsisting dissentions among the Mohawks and that you will assist me with your best advice as to the proper means for removing them

There has been no change in the orders respecting the Indians of any kind since the departure of Lieutenant Colonel Hunter, neither have any Instructions been issued concerning them since my arrival in the province but what had their benefit in view, nor can Lieutenant Colonel Butler point out orders, in the present or any former period, not dictated by the same friendly spirit towards them Though regulations have been made at different times to check the abuses, or supposed abuses in the inferior branches of the department, there has been no diminution of the King's bounty towards the Indians, but on the contrary these regulations have been framed for the express purpose of conveying to them the Royal benevolence as entire and unimpaired as possible

The loan of private goods from Niagara stated to have been made to the Indian Department at Detroit among which it is said, were found Articles with the King's mark upon them, the repayment of that loan in articles of the same description without the sanction of the Commander in Chief, the reports of the King's presents to the Indians being publickly sold at a private shop at Niagara, both before and at a considerable time after that transaction supposing no improper practices to have existed, or to have been intended bear such marks of irregularity upon the face of them, and give room for such unfavourable suggestions as clearly shew the necessity of the nineteenth Article of the instructions which directs that "no stores shall be lent or exchanged on any account whatever" And the order for the removal of the King's stores in the charge of the nephew from under the same roof, and an immediate communication with the private shop of the son will for the same reasons, I hope, no longer appear unreasonable 'nor can the necessity of the eleventh Article of the instructions which directs that " all presents and provisions given at public conferences or councils are to be approved of by the Commanding Officer, and delivered in the presence of all the

Officers of the Garrison," or for the twelfth Article which requires that "no presents or provisions shall be given privately nor any incidental charges paid, but with the previous approbation of the Superintendant General or in his absence of the officer commanding" be called in question when the foregoing circumstances, and the representations from Michilimakinac, are considered, which state that the King's presents have been employed in trading with the Indians to the injury of the Merchants and otherwise appropriated contrary to the intentions of government Both duty to the Crown and tenderness to the reputation of the officers of the department render these regulations indispensible that on the one hand there may be clear proof of the due and entire conveyance of the Royal bounty to the Indians, for whom alone it is intended and on the other, as undeniable evidence of the upright conduct of the officers, which supposing all these reports and complaints to be groundless must undoubtedly be of the highest importance to them It will be prudent for the gentlemen supposed to be concerned in the unseemly traffic aforementioned, at either place to explain their conduct which I must suppose to be in their power

If Lieutenant Colonel Butler still desires to retire from the King's Service he should speak out and I have only to regret my having taken any pains to divert him from that purpose and kept him to an office the proper attention to which appears irksome to him At any rate it is necessary that a proper person, Accustomed to the management of the Indians, and to our friendly treatment of them should be constantly at hand to assist the Commandant of the Post with his advice and who must not quit his station without leave, for it cannot be expected that every officer on taking the command should come possessed of the necessary knowledge immediately to discern and adopt those measures which may be proper for his situation and Trust

I wish the Commandant at Niagara when the Agent absented himself from his station had immediately substituted a proper person to do the duties of the office and made a report of his proceedings Directions to this effect are now given, with regard to all Officers of the Indian Department to prevent the like injury to the King's service in future

If the appointment of Lieutenant Colonel Butler to the direction of Indian Affairs in his district being at the head of its Militia, the senior member of the land Board next to the Commandant and at the head of the Courts of Justice besides the appointment of his Nephew in the Indian Department are not sufficient to remove the discontents he formerly testified, I have only to regret as I said before my having delayed his retiring from the service At the same time I flatter myself, that, while he accepts the trust he will discharge the duties of it with fidelity and honor and take care that his own dissatisfaction in no way tinge the transactions of his office

I am induced to hope too that the bare report of his having obtained grants of extensive tracts of land in consequence of the treaties of concession made between the Indians of his district and some of our neighbours, would alone be sufficient to pique his honor to avoid the least appearance of lukewarmness, or neglect in the King's service

I have formerly testified my approbation of the conduct of Joseph as well as of his friend David and am now disposed to grant a further proof thereof by an encrease of David's allowance from thirty to forty five pounds a year

I am &c

DORCHESTER

Sir John Johnson Bart

(Q 46 2 pp 395-403)

Sir John Johnson's rather laboured reply was dated only a week later

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

Montreal 28th January 1790

My Lord

My wish to comply with your Lordship's commands by forwarding without loss of time by the Mondays Post for the upper districts such Extracts of your letter to me of the 21st Instant, as I conceived were necessary for the Information of the Parties Interested and for the investigation of the evils complained of prevented me sooner from acknowledging the honor of that letter

I have often with much concern and astonishment heard that discontents subsisted among the Indians notwithstanding the well known bounty and benevolent intentions of Government towards them

I have never failed when a proper opportunity offered of Impressing them with the highest sense of gratitude for His Majesty's the Nation's and your Lordship's generous and Paternal attention to their ease comfort and happiness and I have only to regret that I have not been more particular than I have been, in committing to Writing a few of the many grateful acknowledgements they have made to me in return for the bounty of Government to them for the Attention of its Officers and for the heavy expence they have occasiond

That Emissaries have been and are employed to estrange their Attachment and affection from His Majesty's Government and Interest, is not to be doubted but which it is the duty, and I cannot doubt but it is in the Power of His servants to Counteract

The treatment of the Southern Deputies at the Post of Niagara is as much to be lamented as it is surprising to conceive how with the stores full of everything necessary for them and proper persons to distribute it—the commanding Officer could refuse the request of the Six Nations in their behalf no Orders whatever existing to the contrary—The Absence of the Agent at that time I believe was owing to his having obtained Permission from your Lordship to come down the year before but which from indisposition or some other cause he did not then avail himself of but thought himself equally at liberty with the Approbation of the Commandant of the Post which I believe he obtained to come down the next year not knowing of the approach of these Indians or any particular business to be transacted until his return—delicacy on my part and an Idea that he had your Lordship's permission prevented me from making any inquiry and Imagining that he would naturally report his Arrival here to your Lordship prevented me from executing that part of my duty

The cause of Captain Brant and David's dissatisfaction was owing as I am pretty well informed to a Vigilance in the Garrison I imagine in consequence of the Alarm from Detroit by which the latter was disarmed and the former attempted to be so by a Centinel at one of the Gates conscious of their zealous and faithful Attachment to His Majesty's Interest and proud of the proofs and acknowledgements of their Brave and spirited conduct during the War it is not surprising that their resentment was roused at so strong a proof of a Want of that confidence in them they conceived they well merited—that this or some such treatment from the Officer Commanding is the only cause of their discontent will appear from Captain Brant's letter to Lieutenant Colonel Butler which I had the honor to transmit to your Lordship some time in Autumn as well as from the inclosed from Captain David which I received yesterday by return of the Indian Express I sent to Detroit with your Lordship's dispatches delivered to me by Captain Le Maistre

The confidence your Lordship is pleased to honor me with shall never be abused nor shall any exertions on my part be wanting to obtain information of the Evils complained of

The dissentions among the Mohawks originated, I am fearfull in the Ambitious views of Captain Brant who having the principle lead among the upper Mohawks or Canajoharie Indians and having been instrumental in procuring them the lands they possess as well as other benefits, wishes to be considered as the Chief, and to have the rule and direction of the whole settlement which the Chiefs of the lower Mohawks oppose with a view to keep up their former consequence, having always been considered as the heads of the Six Nation Confederacy—I have taken some pains to bring about a reconciliation, but am fearful nothing but a separation of the Upper and Lower Mohawks into distinct Villages, as formerly under their respective Chiefs will effect it —however as Captain Brant is soon to be down I shall have an opportunity of being better informed of the steps most likely to bring about that event

I know of no part of the orders nor of any change that has been made in them, that could justify Lieutenant Colonel Butler's assertion to the Indians and I believe they are well satisfied that all the Regulations that have been made from time to time have been calculated with a view to their benefit alone

As I never heard of it before I am at a loss to know when, or by whom the loan and repayment of Goods with the King's mark upon them were made—the sale of the King's presents at a private shop at Niagara is very extraordinary and unaccountable to me unless disposed of them by the Indians which could only be the case at the time they received goods in bulk in lieu of their losses and services during the War—such conduct certainly points out the necessity of every restraint or Order that can be framed, and shews clearly that no part of the Instructions relative thereto can with propriety be called in Question

It is to be wished and I hope the Gentlemen supposed to have made an Improper use of the Goods committed to their care for the use of the Indians may have it in their power to explain their conduct to your Lordship's satisfaction

I have never heard Lieutenant Colonel Butler talk of quitting the service seriously but I have lately been told that he holds such language now and means to go to the part of the country he was born in near New London—should it be the case I hope some person may be found to supply his place without much injury to His Majesty's service

I am happy to find your Lordship has been pleased to augment David's Pension and beg leave to recommend Captain John for the same Indulgence as a Person of superior consideration

By Return of the Express I received the inclosed letter from Mr McKee, and I am happy to find by it that the Indians are so well disposed as he represents them to be

I have put into the Office a letter addressed to Captain Le Maistre from Major Murray brought by the Express

I have the honor to be &c

JOHN JOHNSON

His Excelly Right Honble Lord Dorchester

(Q 46 2, pp 404-410)

The activity of surveying parties sent out by the government of Pennsylvania had probably excited considerable alarm among the western Indians and seems to have provoked suspicion on the part of officers in command of the frontier posts who were in constant dread of an attempt to take them by surprise.

THE QUEBEC GAZETTE

Thursday, February 18, 1790

New York January 23—On the 13th instant, arrived in Philadelphia on his way from Fort Erie Mr Andrew Ellicott, after having fixed the Geographical situation of some important places on the Lakes and compleating all that part of a Survey lying between the west end of Lake Ontario and Lake Erie, in the territory of his Britannic Majesty, made to determine the Western Limits of this State

In the progress of this business Mr Ellicott had many difficulties to encounter arising from the extreme jealousy of the British Garrisons, and the continued marshes, and swamps through which he had to pass and which cover almost the whole face of their country

Sir John's letter to Colonel Butler which had enclosed an extract of the most vital part of Lord Dorchester's instructions to him elicited an explanation of transactions which had excited suspicion and complaints

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara, 2nd March 1790

Sir,

I received your letter of the 25th January last covering an Extract of Lord Dorchester's letter to you of the 21st January and shall endeavour as far as in my power to explain such matters as respects the Department under my charge

I have not been made acquainted with any Particular uneasiness amongst the Five Nations except the Mohawks unless what some of the most distant Nations observed that what they received was scarce worth fetching so far as they had to come and that they believed the King their Father was Getting poorer every year

The Messesagues complain of being Disappointed in their payment for the Lands they sold Government when his Lordship and you passed Toronto I then promised them payment for what I then agreed with them for and informed you of which was to extend Northward to Join the Bay of Quinty & West to Lake La Clay and the Rice Lake which I presume the Surveyor who was then present has transmitted a Plan of to Head Quarters On my arrival from Montreal last fall a Number of Chiefs and Warriors of that Nation called on me to know if I had Brought the payment and was much Displeased I had not I informed them that Mr Langan had gone up the Bay with Presents for that purpose which they seemed very Doubtfull of and said they had received no information of it nor any message to Attend—after giving them some Ammunition and a few Guns with the Approbation of the Commanding Officer they set off for their Hunts since which I have heard nothing further from them

The Disputes amongst the Mohawks appears to me to have Originated principally from Drunken Frolicks heightened by little private Disputes between those of the Upper and Lower Villages these Disputes were Buried in Oblivion by the Chiefs of the Five Nations last spring according to their customs and Promises were made on both sides faithfully to abide by that Decision, but before they reached home some of them began again to stir up Dissentions and I must do Capt Brant and David the Justice to say that I have never discovered any Deviation in their Conduct from what was then recommended

The arrival of the Western Indians in my absence was Singularly Unfortunate a Circumstance very Unexpected and which could not have been foreseen and the only Instance of Distant Indians visiting this Post since the Peace and I conceive by the Tenor of the third Article that the Commanding Officer is not Authorized to Distribute the Presents in the Absence of the Agent altho' the Interpreter and Acting storekeeper could have answered every Purpose had Colo Harris thought proper to have done it and Notwithstanding my private Affairs very essentially required my Presence in Montreal I would not have absented myself from the Post altho' there was no appearance of my presence being Necessary without Your Permission obtained by your letter of the 8th of October 1788 together with the concurrence of the Commanding Officer As to any personal Slight or

Disregard being shewn to Capt Brant or David by Colo Harris or any Gentleman of the Garrison has never come to my knowledge but the contrary as far as I have been a Witness—I have always found him as ready to give any necessary Assistance to the Indians as any of his Predecessors at this Post whatever offence was given them in my Absence I have only by hearsay but Colo Harris will explain that Matter to His Lordship more fully than I can do, The Presents as observed from under charge of the Nephew into my son's store was because no other Place could be had and his store being roomy and immediately at the Landing Place the Presents have generally been stored there when they were to be given out immediately and there is no communication between that and the shop of my son—and not having Room for a fifth part of them in the Indian Store was the reason of their being put there they were this year opened and Distributed from there in the same manner as the Compensations were in the year 1787 when you was present, and opened and Distributed in the presence of the Commanding Officer of the Garrison in the Manner directed by the Instructions and Certified by them except a reserve which was made by the concurrence of the Commanding Officer for Distressed families Principle Chiefs and Widows as well as those that have orders from You for Annual Clothing which I took immediately from thence and have distributed accordingly

I have made every inquiry with respect to the Loan of Goods to and the repayment of the same from the Indian Department at Detroit and the sale of others from my son's store with the King's mark on them in Answer to which I inclose you a letter from Street & Butler which I trust will fully explain to you the reason of goods of that Description being sold in their Store

I am exceedingly Unhappy that His Lordship should entertain any Doubts of my integrity and Assiduity in giving all that satisfaction to the Indians that is expected from me & which my Duty to my King and the nature of my trust at all times require at my Hand, sensible of that Trust and the Confidence placed in me I have ever been watchfull of the Interests of Government and the general good of the Confederate Indian Nations and as far as my own knowledge of their customs and Manners with the means that have been put in my Power I have spared no Pains in cultivating their Friendship with Government and in Conciliating any Discontent which I have discovered to have been stirred up amongst them either by the neighbouring States or by discontented Individuals amongst themselves and I have always felt the inward satisfaction of accomplishing my Wishes till latterly Whatever may have been said to the contrary Permit me Sir, to Repeat what I have before observed both to His Lordship and to Yourself That altho' I am happy on my own personal Account that such Restrictions are laid on the Deputy

Agents as enables them to Discharge their Duty with a less degree of Censure on themselves than when they had more left to their own Discretional Judgement, at the same time I am convinced and presume that you will acquiesce with me in Opinion that more is effected with those credulous people by one in whom they have a Confidence by the manner & mode of distributing the Presents to them than by the real value of what they receive I am convinced of this by long exeprience and Confirmed in it by the effects produced by the present mode of delivering the presents—I wish not to be understood that I mean (by delivering my sentiments so freely) to complain of the Hardship of complying with the orders but merely to point out the inconvenience of attending rigidly to the tenth Article of the Orders and rendering that Service to Government and giving that satisfaction to the Indians as is intended by the benevolent Disposition of the King—I wish all my Conduct to be under proper inspection but Not in that Public Manner which conveys an Idea to the Indians that the King their Father is afraid to trust me as heretofore which must lessen the consequence of the Agent in their eye and of course destroy his Influence with them

I have the Honor to be &c

JOHN BUTLER

Sir John Johnson Bart

(Q 46-2 pp 411-18.)

Samuel Street who had conducted a sutler's store and trading station with the Indians within the walls of Fort Niagara for about ten years with considerable profit, had lately taken as a partner Lieut Thomas Butler, eldest surviving son of Colonel Butler, and on being called upon to reply to the charges levelled against them submitted the following statement:

FROM STREET AND BUTLER TO JOHN BUTLER

Niagara, 2nd March 1790

Sir,

Respecting Articles having been sold in our shop with the King's mark upon them the following is as strict an account as we can give, tho' Conscious that we were doing nothing wrong have neither been very particular in Noting every Circumstance respecting such Articles as have been rec'd from the Store nor by any means Cautious in Concealing the Marks under which we rec'd them

Previous to the Orders from the Sup't Inten't General in 87 forbidding all kind of Barter from the Indian Store we frequently exchang'd for such Articles as answer'd us and have no reason to believe that the Goods given in return were better calculated to answer the Indians than those we rec'd, but it was never done with a view of Serving us but as far as came to our Knowledge it was for the better satisfaction of the Indians

Its well known we imported a large quantity of goods in '85 and '86 to no less amo't than £15000 Sterl'g at a period when the Indian trade not only declin'd more rapidly than could have been expected, even by a more discerning eye than ours, but when the Indians were tamper'd with by the Americans all round our Trading Posts, and the greatest part of their hunts carried off by them, which consequently left large quantities of our goods on hand and naturally induc'd us to take every fair measure to prevent their Spoiling on our hands, by loan when we could not effect it by Sale—in '86 at the request of the Superintendant General we Lent Government for the Department at Detroit upwards of £1200 Sterling cost, which were returned to us in fall '87 from the General Store in Montreal In Spring 87 when Mr Dease was going to Mackinac boats were not to be had to convey the presents destin'd for that Post, from Fort Schlosser to Fort Erie and with the Approbation of the Commanding Officer I lent him a Boat Load of Indian Goods which were at Detroit, and rec'd to the same amo't from him of the King's goods then all those goods were expos'd to view and sale in our shop, and some of them were in the shop till last fall

We are Sir &c

STREET & BUTLER

Lt Col Butler

(Q 46-2 pp 419-21)

Colonel Butler further demonstrated his annoyance and sense of injury by writing directly to Lord Dorchester

FROM JOHN BUTLER TO LORD DORCHESTER

Niagara, 3rd March 1790

My Lord,

Permit me Sir to trouble Your Lordship at this time when I feel myself more essentially hurt than I have ever experienced during a series of upwards of Forty Years of indefatigable application in the service of my King & Country, most of which time I have been employed in Indian Affairs in which I have been vigilant in cultivating their Friendship with Government as far as my abilities enabled me and am not insensible to the thanks and rewards I have had the Honor to receive from my superiors for my services but it seems lately to have produced Suspicion, Mistrust & Enemies where I have not expected nor designedly gave offence.

Since I have had the Management of the Department at this post, I have never absented myself Twenty four Hours without permission from the Commanding Officer and when Business called me abroad I always left a capable person to assist the Commandant in Indian Business Mr Johnston the Interpreter who is well acquainted with Indians and their Customs was here on the Arrival of the Western Indians last Summer and was capable of performing any service that might be required. Although I did not conceive from the third Article of my Instructions that the Commanding Officer could distribute the Presents in my Absence still My Lord other Motives induced me to tell the Indians that Colo Harris could not cloathe them in my absence. I saw the Indians (the Mohawks in particular) were much displeased with him & I thought by that means to reconcile them to him and to appease them Myself by some other means

Conscious myself of Never having defrauded the Public nor denyed the Indians any assistance in my Power to give them and more particularly of not preventing Governments Benevolent Bounty from reaching them as entire and unimpaired as possible for which I appeal to all the Commanding Officers under whom I have served and if my conduct is Disapproved by them permit me to retire to some quiet repose & linger out the few Unhappy days that is left me

I am exceeding Unhappy that your Lordship should entertain so different an Opinion of me from what I once thought I had the Honor to enjoy

I know it is Currently reported and Generally believed that I have accumulated to myself an Independent fortune but which will be found in the sequel to be erroneous—Supported by that zeal for the service of that Government which has reaped the fruits of a far Spent life induces me to continue in the place I have the Honor to fill at Present—but it is now too late for me to think of rendering myself usefull in any other line to that King & Government in whose service I have spent the Prime of my life & wish to end my days in

With the Highest respect &c

John Butler

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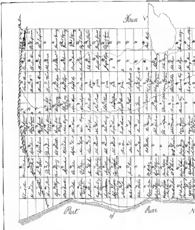
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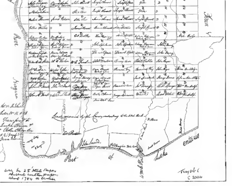Town
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Lord Dorchester

I hope your Lordship will excuse the Liberty I have taken in writing thus freely & should I have said anything improper that your Lordship will impute it to ignorance & not to any design

D

(Q 46 2, pp 422 5)

Dorchester reiterated his anxiety for the defenceless state of the province in a secret letter to Colonial Secretary

From Lord Dorchester to W W Grenville

Duplicate.

No 18 Secret Quebec 8th March 1790

Sir,

The great approaches to Canada by the Mohawk river and Oswego, and by Lake Champlain to the river Sorel, are too well known to require Explanation but I must just observe that suffering them to establish themselves on the latter up to the treaty line of the forty fifth degree of North latitude would be nearly equivalent to the making them Masters of the whole Country

The upper posts were all repaired last year, and properly supplied with stores—Detroit is in a better condition than ever but from the beginning it was only a defence against Indians and now its chief strength must be derived from their fidelity, joined with the Militia of the place and the abilities of the Commandant—Niagara should make a good defence Especially if the Militia of the district behave well and keep open the communication across the river Michilimakinac can keep out only Indians and Fort Ontario partly from the defects of the work partly from its position, neither is, nor can be rendered, defensible, in the present condition of Things The works on the Sorel are all very bad—The resources, which the lower part of the province is capable of bringing forward cannot be depended upon a languid insensibility to all political importance with but a few Exceptions runs through the whole, it will be difficult to rouse them Even to their own defence or make them perceive their danger till it is at their door and probably too late

The Militia has been as much attended to as prudence would admit, but a favorable opportunity to embody two battalions of them, which might in a few years correct this torpid habit has not yet offered, and on a well timed introduction the success of the measure will greatly depend The defence of the province will therefore be reduced nearly to the Troops and what small assistance the loyalists may be able to afford, this for local reasons must be confined to their own district, and indeed the same local considerations in the present condition of our strength will have nearly the same effect upon the troops so that every post will be left to its own defence consequently must be expected to fall, the retaking any will be quite impracticable It will require a reinforcement of at least four thousand men to enable this province to carry on a defensive war with any probability of success In the year Eighty Eight, having conceived suspicion of such hostile designs though not so far advanced, I apprized Brigadier General Ogilvie, that I might have occasion to draw two Battalions from Nova Scotia and its dependencies to Canada, by New Brunswick I must observe that the present very defective distribution of the troops there renders such a measure difficult and tedious in Summer, and impossible in winter; dispersed as they are they cannot defend themselves nor succor any other part, on a sudden Emergency, I would therefore recommend, that leaving two battalions for the guard of Halifax, all the rest of the troops in Nova Scotia its dependencies, and New Brunswick, be collected on the upper part of the river Saint John where they may make huts for themselves in a central situation, from whence they may give assistance with their united force, whatever it shall be In their present dispersed situation they have nothing to guard, and may be cut off in detail The proper defence for Nova Scotia besides its militia, is a command of those seas; the Halifax Squadron should at all times be decidedly superior to what the French annually sent to Boston, on the present occasion an additional number of frigates Enough suddenly to extinguish the trade and fisheries of the States, should they commence hostilities would soon convince them of their Error

DORCHESTER

The Right Honble W W Grenville

Endorsed Quebec 8th March 1790
Lord Dorchester
Dup No 18 Secret

(Q 44 1, p 123-5)

Alarming intelligence continued to arrive at Niagara from Butler's correspondents or agents in the Genesee valley It may be noted that the person who wrote this letter had been an interpreter in the British Indian department and was soon after engaged in the same capacity in the service of the United States vide Simcoe Papers II 195-6, 276, 315, III 103

FROM N ROSECRANTZ TO COLONEL JOHN BUTLER

Extract of a letter from N Rosecrantz an Inhabitant of the Genesee Country dated 16th March 1790 to Lieut Col Butler

I have been lately as far down as Cannandasago where I was informed by Mr Smith a Merchant of that place who had just arrived from Cannandasago I asked him whether he brought us any news he answered that he read the late papers wherein he found that the Americans were Raising a Numerous Army under a pretence of Destroying the Southern Nations of Indians and it is the opinion of the people that the troops are intended for to take Niagara and the back Posts at least it is strongly talk'd of

D

Endorsed— 3

In Lord Dorchester's letter
to Mr Grenville No 26
of the 27th May 1790

(Q 44-1, p 244)

This information was to a certain extent corroborated by the following statement from a credible Indian source and both reports were forwarded to Lord Dorchester, who considered them of sufficient importance to be transmitted to Mr Grenville

INDIAN INTELLIGENCE

Copy of Intelligence received from a principal Cayuga Chief, called the Blue Coat—Buffaloe Creek, 26th March, 1790

Sent by Lt Col Harris

The above mentioned Chief lately returned from the Mohawk River says that he there met with a Mr Wemp (with whom he had been well acquainted before the last War,) who told him he wished much to have some Conversation with him and told him he had long wished for such an opportunity as now offer'd of Speaking his Mind to one who he thought from their former friendship he could depend upon, he informed him it was the wishes of the Americans to have Oswego thrown open which he said ought to have been done long ago according to the Treaty of

Peace in 1783 that it being kept Occasioned them many Difficulties especially in settling the Country lately purchased from them by subjecting them to a long land Carriage which occasioned great trouble and Expence in settling that Country ,and prevented many of the most principal people from going there, which would not be the case was Oswego thrown open that it Greatly injured their trade and they were thereby prevented from Selling their Goods cheaper to the Indians than they could buy them at any other Place and that the People were therefore determined to take some Method to lay open Oswego, and that they were now raising Troops in the States but whether they were intended against Oswego or not he Could not tell, and added that, he had informed him in all that he knew respecting the Americans and would be glad to know if it would be agreeable to the Indians in General to have Oswego thrown open as it would be of such great Benefit to them also or if he thought they would oppose such a thing and requested to know if they were told by the King their Father to oppose the Americans or whether the King advised them (at the time they received their Annual Presents) to stand against the Americans should they attempt to take the Upper Posts—he Continued that what they intended to do was not from any authority of Congress but from the Wishes of the People

The Blue Coat made Answer that the King the Father since the Peace had given them No advice to oppose the Americans nor were they ever told that their Presents were given them for that Purpose but that the King their Father had desired them to be peaceable and Quiet and to Mind their Own Business and that he did not imagine the King or any of his People had any thoughts that the Americans intended to do what was then told him

D.

Endorsed 2

In Lord Dorchester's letter to Mr Grenville
No. 26 of the 27th of May 1790

(Q 44-1, pp 241-3.)

Having at length received the necessary instructions for their guidance the district land board entered upon the active performance of its duties which in addition to the allotment of grants of land, included the selection of sites for towns and laying out new roads and the improvement of such primitive roads as had been already opened

PROCEEDINGS OF LAND BOARD

"Land Board, Niagara March 20th, 1790

"Present Lieutenant Colonel Harris, Lieutenant Colonel Butler, R Hamilton.

"Which day various Letters and other papers being laid before the Board they read the same and for the purpose of executing their contents they direct a Board to be held on the 29th inst at Mr Sheehan's house in the Rangers' Barracks, and that the inhabitants of Township No 1 be advertised then and there to attend for the purpose of filling up the lots of that Township with the names of the proprietors

"Till then the board adjourned"

"Land Board, Nassau 29th March 1790

"Present Lieutenant Colonel Harris Commanding Upper Posts Lieutenant Colonel John Butler, Peter Ten Broeck, Robt Hamilton, Nathaniel Pettit Esquires

'The Board Proceeded to the election of a Clerk and appointed Mr Sheehan for that purpose Mr Jones Acting Surveyor was called in and produced a plan of the first Township which the Board proceeded to examine and entered those claimants for land whose titles appeared clear and undisputed'

"Land Board, Nassau, 30th March, 1790

"Present Lieutenant Colonel Harris, Commanding Upper Posts, Robt Hamilton Nathaniel Pettit Peter Ten Broeck, Lieutenant Colonel Butler, Esquires

"The Board this day continued examining the claims of the inhabitants to the lots in the first Township and entered in a list for that purpose such of the claims are undisputed

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"Land Board Nassau 31st March 1790

'Present Lieutenant Colonel Butler Peter Ten Broeck Robt Hamilton, Nathaniel Pettit Esquires

"The Board, having met, issued the following advertisements

"The Land Board for the District of Nassau, having received from Lord Dorchester instructions to open the Portage on the west of the River above Niagara And his Lordship wishing to do this on the most liberal and useful terms for the Settlement directs them to be consulted on this business and that every proposal they individually or in companies may think proper to make for a contract shall be handed to him the Board have appointed their next meeting on the second Tuesday in April when the Court sits at which time they will communicate every particular respecting this business to whoever may apply, and Mr Sheehan, Clerk of the Board will inform any others who may wish this information sooner, if they will apply to him at his house

"(Signed) J. Butler, Peter Ten Broeck, Nathaniel Pettit, R Hamilton"

"The Board are also of opinion from the regulations of the Governor and Council of the 25th August last that the center of this Township on the banks of Niagara River is the proper place for a Town and other Public Buildings, and that the lots No 15, 16, 17 and 18 in the center of this township are at present in the possession of Gilbert Fields, Wm Baker, Richard Wilkinson and Nathaniel Fields which the Board will endeavour to obtain from those Proprietors for that purpose

"The Board then proceeded to appoint Commissioners of the Roads, when the Following persons were named—

"John McNabb, Andrew Butler, Jacob Ten Broeck, Charles Pettit Robt Lottridge Robt Nelles, Gilbert Tice, John Warren, Elijah Phelps, Jacob Ball, Junior, John Powell

"REGULATIONS FOR THE COMMISSIONERS No new roads are to be opened nor any alterations made in the old ones except by the concurrence of three of the Commissioners of Roads for that District and the Board think it requisite that the Commissioners do order that the inhabitants shall Work on the road six days in the year viz three days in the Spring and three days in the Fall, and at any other time when it shall become necessary either by floods or other accidents, and you are hereby directed, in case of any persons refusing to work, after having been warned, to fine them five shillings for every day they shall neglect to work, and the Path Masters are to be fined £5 should they neglect their duty The Commissioners will observe that all roads are to be one chain in breadth."

Colonel Butler took advantage of a meeting with some of the principal chiefs of the Five Nations residing on their lands in central New York to inquire whether they were disposed to resist an attack upon the British post at Oswego, but at the same time renewed his former advice to endeavour to live at peace with their white neighbours and avoid being drawn into a conflict with the United States in the event of a war with the southern Indians

Speech by John Butler to the Indians

Copy of Lieut Colonel Butler's Speech to some of the Principal Chiefs of the Five Nations, and their Answer

Niagara 8th April 1790

Brothers,

I was informed by Mr Johnson the Interpreter at his Return from your village that the Cayuga Chief called the Blue Coat, told him he had lately returned from the Mohawk River, where he saw Hendrick Wemple an American Interpreter who told him that the people of New York were very uneasy about the Post of Oswego being detained from them that they found not only an inconveniency in conveying their Settlers into the new Settlements, but that they must bring goods by Land a Considerable distance, which put it out of their Power to furnish them so Cheap as they otherwise might, he said the people were very desirous to have that Post thrown open and wished to know if you would have any objection to their attempting it by force and whether you had any directions on receiving your Annual Cloathing from the King your Father to oppose them

You know Brothers that it has always been recommended to you to live peaceably and justly and to give your Neighbours no Cause to blame your Conduct this was my Advice to you, and is still And it appears from the above information and from Reports of the Americans raising troops to go against the Southern Indians that they are not perfectly satisfied I recommend it to you as a prudent step towards keeping clear of disputes with them to call home all your scattering people from amongst them least some of them may be prevailed upon by the Americans to Join in the quarrel against people of your own Colour which might involve your Nations in a War

Answer From the Chiefs

Brother,

Our Attachment to the King our Father is firmly Fixed and Agreeable to his Advice we shall endeavour to keep clear of Disputes with our Neighbours and as we are apprehensive that should a quarrel between the Americans and our Brothers to the Southward take place that our Situation might be disturbed sooner than we Conceive at present they are encroaching fast upon our Country with their Settlements and as we wish to keep free from disputes we are desirous of knowing from the Commander in Chief the particular Boundaries of the Lands that are given us on the Grand River, that we may make such divisions amongst ourselves, so as to know where to retire when we see Cause to remove to it, the Mohawks have papers to shew for their Lands, we wish also to have the same with the outlines pointed out that there may be no Misunderstanding or disputes hereafter.

D

Endorsed— 6

In Lord Dorchester's letter
to Mr. Grenville No. 26
of 27th May, 1790

(Q 44-1. pp. 248-250.)

These proceedings were duly reported to Sir John Johnson and by him to the Governor, who transmitted the information to the Colonial Office.

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Extract of a letter from Lieut. Colonel Butler to Sir John Johnson dated Niagara 10th April, 1790.

We have had a Report here that the Americans are raising an Army against the Southern Indians. I have desired them to call home their Scattering people as it is probable some of them might be prevailed upon to join against the Indians which might be the occasion of involving their Nations in a War with those of their own Colour and may be prevented by a timely attention which I strongly recommend and hope will be attended to.

D

Endorsed— 7

In Lord Dorchester's letter
to Mr. Grenville No. 26
of the 27th May 1790

(Q 44-1, p. 251.)

About this time Lord Dorchester had received private information that some of the officers of the Indian department, among them Colonel Butler, had obtained considerable grants of land in the United States which gave him some anxiety, and the Superintendent was instructed to make a full inquiry and report the result.

FROM HENRY MOTZ TO SIR JOHN JOHNSON

Quebec, 12th April 1790

Sir,

Lord Dorchester having understood, although he cannot give full credit to the report, that several persons in the King's service, and other the King's subjects in the province are possessed of Lands, beyond the line marked by the late treaty of peace in the upper part of the country under titles derived from the states or the subjects of the United States—His Lordship requests you will endeavour to obtain full and special information on the subject, and bring him acquainted with all particulars of the names, characters and residence of the persons of this description, what quantities of lands they possess as aforementioned where the lands are situated, and upon what terms or pretences how and from whom they have been obtained, and in what manner they are held or pretended to be held whether in their own names or in any other way whatever with the dates of all such grants or titles

I am &c

HENRY MOTZ

Sir John Johnson Bart

The following letters show that the commandant at Fort Niagara had become seriously alarmed and considered it necessary to take unusual precautions to guard against surprise.

FROM LIEUT COLONEL HARRIS TO CAPTAIN LE MAISTRE

Extract of a letter from Lieutenant Colonel Harris Commanding the Upper Posts dated Niagara 15th April 1790, to Captain Le Maistre Military Secretary

The inclosed papers have been delivered to me by Lieut Colonel Butler, Rosecrants—you may probably remember, he was with the Rangers and Captain Brant during the War, but has since resided at the Genecies

That the States have ordered Troops to be raised, is mentioned by different People lately arrived here—A Mr Skinner says such a Report prevailed amongst the common People

Murphy (who is Blacksmith in the Indian Department at Michilimakinac) says Troops are ordered to be raised to the number of thirteen or fourteen Thousand to be employed against the Western Indians for having taken or destroyed five of their Boats on the Ohio late last fall

There is a Report (but not generally believed) that the English have taken two French Ships returning from Philadelphia laden with Corn

D

Endorsed— 1
In Lord Dorchester's letter
to Mr Grenville No 26
of the 27th May, 1790

FROM LIEUT COLONEL HARRIS TO CAPTAIN LE MAISTRE

Copy of a letter from Lieut Colonel Harris dated Niagara 15th April 1790 to Captain Le Maistre Military Secretary.

Since my letter to you of this morning I have received the enclosed from Col'l Butler how far the Intelligence is to be relied on I cannot pretend to say—but should anything material be attempted this way beg to be inform'd what lengths I may go with the Indians and what Engagements I may enter into, in order to interest them (if it should be thought proper) to take an Active Part on the side of Government

I have this day wrote to Captain Partridge Commanding at Oswego to put him on his guard

D.

Endorsed— 4

In Lord Dorchester's letter
to Mr Grenville No 26
of the 27th May 1790

(Q 44-1, pp 245)

Some of the Six Nations who remained in the United States, then announced their intention of joining the Mohawks already settled on the Grand River and the chiefs of that nation requested in consequence that the limits of their reserve should be defined and that those intending to migrate should be supplied with provisions

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FROM DAVID AND AARON HILL TO SIR JOHN JOHNSON

Nassau 15th April 1790

Sir,

Having been informed by Colonel Butler of the receipt of a Letter from You mentioning His Lordship's wish to know when we would choose to have our Deed for the Lands granted to us on the Grand River, it being the wish of the Six Nations in general we have to request the Deed as soon as possible, being informed the Americans are Raising Troops and Ignorant of what their intentions may be think the sooner our Boundaries are pointed out the greater will be our satisfaction and wish to know how much of the Land to the south of the Grand River we may expect will be reserved for our Hunting, and further request His Lordship will order a Surveyor, to survey the Tract granted us, that in future we may be certain as to our Boundaries

There being a number of the Six Nations who mean to move over to the Grand River and the season being considerably advanced a number of them nearly destitute of Provision, request His Lordship will allow them provision in order to enable them to move and until such time as they may be able to support themselves, we are in Behalf of the Six Nations &c

David Hill
Aaron Hill

Sir John Johnson, Baronet

Butler encouraged the project of emigration to the Grand River and recommended that provisions should be supplied to the Indians who intended to remove

From John Butler to Colonel Harris

Copy of a letter from Lieut Col l Butler to Lieut Colonel Harris dated Niagara, 15th April 1790

I have been informed by Captain Aaron that he had sent a Messenger to Onida who had returned and relates that Congress had sent a Message to the Onidas informing them that they had now raised an Army to take their own Fort Niagara and that Two Thousand of that Army were now on their way from New York and recommended to the Indians to collect their People in a Body and Advise them to lay Still and look on and not to interfere with white People, and that any who Disobeyed this Caution they would Punish as the Island of America was not so large but what they could find them out and further related that in Consequence of Capt Aaron s Message all the Indians in the King s Interest had left Onida and were removed to Genesea

A great part of the Tuscarora and some of the Cayuga Nations are now preparing and will move over to settle at the Grand River this Spring and it is my opinion that if Government would allow a years provisions to those that move over that many of the other Nations would follow their Example and move there in the Course of the Summer, but without that Assistance they Cannot as moving their Families would prevent them from planting and of course leave them Destitute of Provisions

D

Endorsed 5

In Lord Dorchester's Letter
to Mr Grenville No 26
of the 27th May, 1790

(Q 44-1, pp 246-7)

At the next meeting of the Land Board petitions were received from two men who were destined to take a long and active part in public affairs, as rivals for popular favour. Swayze had been employed in secret service during the war, and seems to have had a talent for making enemies. Street, who was a native of Connecticut, had commenced trading with the Indians on the Susquehanna river in Pennsylvania, whence he had removed to Fort Niagara in 1778. He had not taken any active part in the war, but had married the daughter of a loyalist. Both of them soon acquired considerable property in land, and were commissioned as magistrates. Street and Butler had already built a saw mill on the Fifteen Mile Creek. In 1798 Samuel Street patented 4,600 acres of land in the township of Willoughby, mostly obtained by transfer from Philip Stedman and other original grantees. Swayze patented 1200 acres in Pelham in 1797, to which he added other lands in that and adjacent townships at a later date. He was elected a member of the Legislative Assembly for the third riding of Lincoln in 1792, but was succeeded and probably defeated by Street in 1796. Street had been a candidate for the second riding in 1792, but was defeated by Benjamin Pawling by 148 votes to 48. Street was again elected in 1800 and chosen as Speaker. He was defeated by Swayze in 1804 but regained his seat in 1808 and was again elected Speaker. Swayze was elected by the fourth riding on the death of John Fanning in 1812, and re-elected in 1816. Street died in 1815, but Swayze lived until 1828.

PROCEEDINGS OF THE LAND BOARD

"Land Board, Nassau, 16th April, 1790.

"Present: Lieutenant Colonel John Butler, Peter Ten Broeck, Nathaniel Pettit, Esquires.

"Received a petition from Isaac Swayze, setting forth that from his character having been traduced he had been prevented from enjoying the privileges of other loyal citizens, and, having produced sufficient proof that his character had been misrepresented, the Board are of opinion that he is entitled to the quantity of land his services may entitle him to as a volunteer in the British Army at New York.

"Received a Petition addressed to his Excellency Lord Dorchester from Samuel Street, Esquire."

A copy of Mr. Street's petition has been preserved and is of considerable interest, relating his claim to the occupation of a part of the Crown reserve at what was then called the "lower landing," which became the subject of a suit at law two years later.

'Writing to Mr Secretary Dundas, on 4 November, 1792, Lieut Governor Simcoe said

"The Queen's Rangers are hutted by great exertions at the Niagara Landing now *Queenston* Mr Street an Inhabitant of the place chose to dispute the Right of the Land, I directed the Attorney General to defend the suit & Judgment was given in favor of the crown'[1]

THE MEMORIAL OF SAMUEL STREET

To His Excellency The Right honourable Guy Lord Dorchester Captain General and Governor in Chief of the Colonies of Quebec, Nova Scotia and New Brunswick and their Dependances Vice Admiral of the same General and Commander in Chief of all His Majesty's Forces in the Said Colonies and the Island of Newfoundland &c &c &c

> The Memorial of Samuel Street of Niagara, Esqr—
> humbly sheweth—

That your Lordship's Memorialist having observed through the Medium of the Land Board here that from the remarks made by Lieut Humphry of the Engineers the face of the Hill and the front of the Lots at the Landing may be taken for the Use of Government, the Present Possessor having no rights to them, begs leave to represent that he has been a Residenter at Niagara upwards of twelve years, and in Possession of the Lands pointed at by Lieut Humphry upwards of six years, that he made a Purchase of them at a Price little short of seven hundred Pounds under the written Sanction of Lieut Colonel Depeyster the then Commanding Officer of this Post and has since expended near double that Sum in Buildings and other Improvements thereon—

Your Lordships Memorialist having at all times strictly complied with every Instruction and Regulation which has come to his knowledge relative to Settlers on Crown Lands and done all in his Power to promote the Prosperity of this new Settlement conceives himself entitled to the same Privileges as other Settlers and asks no more than to be permitted to keep the Lands he has taken Possession of conformable to the general Rules observed in this Settlement—

Your Lordships Memorialist will however most cheerfully submit to have such Reserves made in his Deeds as will not only enable Government to take away from the face of the Hill what Stones may be wanted but to erect Store Houses, and Wharfs for the King's use on such Part of said Lands as shall be found most convenient when the Engineer views the Ground—

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[1] Simcoe Papers, I p 247

Your Lordships Memorialist therefore humbly begs that your Lordship will be pleased to take his Case into Consideration and Grant him such relief as your Lordship in your wisdom shall judge right—

And your Lordships Memorialist as in Duty bound will ever pray &c &c

Niagara, 15th April, 1790

(Signed) SAML STREET

Copyed from a Copy

D W SMITH

After the organization of the province of Upper Canada Mr Swayze renewed his application for lands, at first in conjunction with associates unsuccessfully and afterwards alone with better forture as he had then become a member of the Legislative Assembly

To His Excellency John Graves Simcoe Esqr Governor and Commander of the Province of Upper Canada, &c &c &c

In Council

The Petition of Isaac Swayze, John Secord, Senr John Secord Junr, and David Secord, HUMBLY SHEWETH—

That your Petitioners desirous of promoting the population of this Province hath encouraged a number of their friends and Relations, now residing in the States of New Jersey and New York to become settlers in this Country and as your Petitioners conceive that from the great resort of People to this Province applying for Grants of land that the Townships most contiguous to the navigable waters may be located, In behalf of themselves and Friends solicits your Excellency for a Grant of one Township and your Petitioners will strictly adhere to any Rules and regulations that may be laid down by Government relative to the settlement and Cultivation thereof, or grant such other relief in the Premises as your Excellency may seem meet and your Petitioners will ever pray

New Ark 21st May, 1793

Endorsed —May 24, 1793
read in Council—
inadmissible

To His Excellency John Graves Simcoe Esqr Governor and Commander of his Majesty Province of Upper Canada &c &c &c

In Council

The Petition of Isaac Swayze Humbly sheweth

That the sufferings and loyalty of your Petitioner during the late rebellion are well known neither he presumes have his services been forgot He therefore most humbly prays that your Honor will grant him a location agreeable to His Majesty most gracious bounty to his loyal subjects

ISAAC SWAYZE

Newark, June 4th 1794

(The whole petition is in Swayze's handwriting)

Endorsed —Granted one thousand two
Hundred Acres and refered
to Surveyor Genl to locate the Same.
read in Council July 8th 1794
gave the Minutes to Mr Swayze

As hostilities with Spain seemed almost certain in consequence of the seizure of British ships in Nootka Sound, Lord Dorchester was requested to abandon his intention of returning to England on leave, through fear that the United States might be tempted to take an active part in the war to secure possession of the frontier posts and he was accordingly directed to organize the militia for their defence

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FROM W W GRENVILLE TO LORD DORCHESTER

No 22 Secret
The Right Honble
Lord Dorchester

Whitehall, 6th May 1790

My Lord,

In Consequence of discussions which have arisen between His Majesty and the Court of Spain relative to the Capture of some British Vessels on the North West Coast of America & His Majesty having received information of armaments in the ports of Spain has judged it necessary to give immediate orders for augmenting His Forces

I trust that the issue of this business will be such as to correspond with His Majesty's sincere desire for the maintenance of peace consistently with the preservation of the Honor of His

Crown, and the Essential interests of His people. But as it is possible that this business may take a contrary turn, I have thought it right that Your Lordship should be apprized of it as early as possible.

It is I think extremely improbable that any attack will be made by Spain in the present circumstances on any of His Majesty's North American Dominions—But it is evidently to be apprehended that the existence of a war between this Country and Spain will give encouragement to the United States to demand the Cession of the Forts on the Frontier of Canada. And, it is possible that by holding out to them a prospect of obtaining this favourable object, the Court of Spain may be able to induce them to take an active part in the war. As this is a point of the utmost importance to the British interests, I am persuaded that Your Lordship will feel how necessary it is that His Majesty should have in that part of His Dominions a person to whose Experience, talents and character He may look with Confidence for such a line of conduct as may be necessary to protect the whole of the remaining British Empire in America, and that Your Lordship will therefore readily be induced to relinquish Your wish of returning to Great Britain this Season.

The necessary arrangements for the defence of those of His Majesty's possessions which are more immediately exposed to attack either by Spain if she should find herself in a condition for offensive operations, or by France, if that Country should be induced to become a party in the war, make it very doubtful whether any reinforcement of Troops can be sent out to North America this year—As Your Lordship is empowered by an Ordinance of the Province to Embody such part of the Militia as shall be necessary, you will of course, on receiving accounts of the commencement of Hostilities, of which I shall not fail to give Your Lordship the Earliest intelligence, take measures for doing this as far as the circumstances of your situation may appear to require, and considering how large a part of the Inhabitants, particularly in the Upper Country, were in arms during the American War, I should hope that this might soon be made by Your Lordship's Exertions an useful and efficient force.

I am &c.

W. W. GRENVILLE

Endorsed:

Drat. To Lord Dorchester
6th May, 1790

Secret
(No. 22)

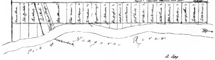
(Q 44, pp. 84-6.)

Copy of part of an accurate Survey of Township No 1

The Regular Survey of the Township differs a good deal in part from No 1 down to 13 — these lots were settled prior to any Survey. [illegible] [illegible] [illegible] [illegible] to the land Board [illegible] their improvements would be much hurt should their [illegible] be changed. The Board consented to grant their lots conformably to their possessions —

Signed Augustus Jones D.P.S.

Copied Signed [illegible] [illegible]



A Copy
[illegible]
[illegible]

Land Petitions B No 2 – B 162

Tiny 27-21
C2089 1793

Early in 1788 Oliver Phelps, Nathaniel Gorham, and their associates had purchased from the government of Massachuseets their right of pre-emption to all the Indian lands in the State of New York To secure the good will of the Six Nations these persons had employed Samuel Kirkland the missionary [1]and had endeavoured with some success to enlist the influence of Colonel Butler, Joseph Brant Samuel Street and other persons living at or near Niagara On being called upon by the commandant for an explanation of his conduct, Butler made the following rather unsatisfactory statement

From John Butler to Lieut Colonel Harris

Niagara, 18th May 1790

Sir

Agreeable to my promise to You this morning I send you an account as far as has come to my knowledge respecting Persons concerned in the Purchases made of lands in the Indian Country, Messrs Oliver Phelps & Co of the state of Massachusetts had made a purchase from the Five Nations some time in the month of July 1788 of a large Tract of Land at which time Mr Phelps offered a part of that Tract, by Paying the sum that he did for it to some Inhabitants of this Place which was accepted and went by the name of the Niagara Company but thinking it improper to hold those Lands, I believe most of them gave up their Claim to them except Mr Street & Mr Barton who I believe are now the only persons that claim lands in that Country In order to accomodate some of my Relatives in the New England States I got a Deed for them from Mr Phelps for 10000 Acres with a promise of 10000 more to be given them hereafter The Five Nations had lately made Sir John Johnson and myself a Present of a Tract of Land, for the purpose of accomodating our Friends in the states but Sir John having refused it I have also done the same and given them back the conveyance (they had given us) in the presence of Doctor Kerr and Mr Wm Johnston the Interpreter

I had no other view of accepting that Present than to give it to my friends in the states, and Lt Col Hunter told me when he was here that he saw no impropriety in my getting Lands from Mr Phelps for that purpose

I have the honor to be &c

John Butler

Lt Colonel Harris
Commanding the Upper Posts

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[1] See Publications of the Buffalo Historical Society, Vol XXIV pp 79-88

P S—As Mr Street is the Acting Person in this Business he will on his return be able to inform you more particular than I can

Lord Dorchester disapproved the proposal made by Butler to encourage the migration of the Six Nations from the State of New York to the Grand River, which had seemed to him the natural sequel to the sale of the greater part of their lands Sir John Johnson was given orders to be watchful and warn the militia to be in readiness for a resolute defence.

From Lord Dorchester to Sir John Johnson

Quebec 20th May, 1790

Sir,

The Indian Intelligence communicated by Lieutenant Colonel Butler in his dispatch of the 15th April importing that hostilities are intended against the Posts of Oswego and Niagara, with the request of some of the principal Chiefs of the five Nations in consequence of that allarm, to know the boundaries of lands said to be given to those Nations on the Grand River to which they propose to remove, appear very extraordinary

It is not generally thought desirable for the Indians to abandon their country and yet Lieutenant Colonel Butler's suggestion to allow a Year's provision to those, who shall take that course, as an incitement for others to follow, indicates a strong and decided opinion to the contrary I shall be glad to hear his reasons

I do not exactly comprehend what lands said to be given to the five Nations on the Grand River, are alluded to, the boundaries of what was promised by General Haldimand I think have been described in writing and are or ought to be in Lieutenant Colonel Butler's hands so that he should be able at all times to satisfy them in that respect

But though I cannot discern how the removal of the Indians to the Grand River can benefit either themselves, the King's service or the settlers in the upper part of the province and fear, that on the contrary it will occasion much inconvenience and distress, particularly at the present time when there is a general scarcity of provisions, yet it is not difficult to perceive the advantages and convenience which must result therefrom to those who have obtained grants of land in the Indian Country, and to them I impute the assertions of an attack upon Oswego and Niagara being in agitation, for I cannot easily persuade myself our Neighbours really mean now to begin a War

But however improbable these reports of hostile designs against us may be common prudence requires all proper precautions should be taken immediately and the more so as it is evident the Indians have been tampered with for some purpose or other

You will therefore take all proper measures to excite vigilance in the Indian Department as well as in the Militia of the Western Districts and that all things be prepared for a vigorous defence against any insult that may be offered in those parts

If anything occurs to you to be further necessary for putting our strength in the Upper Country in a better state of defence I shall be glad to be made acquainted with it

Similar instructions are now given to the Commanding Officers of the Upper Posts

Lieutenant Colonel Butler was right in advising the five Nations to call in their Scattered people to prevent their being involved with the Southern Indians

I am &c

DORCHESTER

To

Sir John Johnson Bart

(Q 46-2, pp 432-4)

Particular instructions were issued for the guidance of the land surveyors in the delimitation of townships on the shore of Lake Ontario in the tract recently purchased from the Indians at the treaty held with them at the carrying place of the Bay of Quinte

FROM JOHN COLLINS TO PHILIP R FREY

Quebec, 20th May, 1790

Instructions to Mr Philip Frey, Deputy Surveyor of the District of Nassau

Sir,

His Excellency having been pleased to direct "that the Land Board of Nassau employ the surveyor of their District with ten men to survey and mark the front lines of Townships from the eastern boundary of their district to Toronto and to carry the side line of each township back one mile well marked, at such time as may best fall in with their general arrangement of the Summer business of their District if other more necessary work will admit of it"

You are to proceed to the execution of these services at such time and agreeable to such instructions as the Land Board of your District may direct, reporting to this office protractions of the work when finished.

You are directed to keep a journal and field book inserting whatever is observable for it's singularity and value towards the public utility, as waterfalls minerals, quarries the quality of the land and timber, &c, &c

And I am charged to apprize you that besides your return to me of a map and field book, you do also account for the time to be spent on it in a journal to be kept for the purpose with such minuteness and certainty as will enable you to answer questions respecting the business, upon oath, if the same should be required.

There must be very strict attention to economy in the whole service and the hands dismissed as soon as they can be spared, and as the accounts will all be subject to audit you'll take care to furnish the documents that will be expected in justification of every article of charge It is not however, his Lordship's intention by any small savings to disappoint the useful end for which these surveys are commanded but there must be a responsible discretion exercised in the expenses both of the time and the means

And you are on receipt of these instructions to communicate the same to the Land Board of your District for their information and that they may be the better enabled to direct such further particulars as their local knowledge and experience may suggest I am with Regard &c

JOHN COLLINS D.S.G.

Approved by His Excellency Lord Dorchester

31st May, 1790.

Henry Motz.

(District of Nassau. Letter Book No 5, pp 33-4.)

FROM SIR JOHN JOHNSON TO LORD DORCHESTER

Montreal, 24th May, 1790

My Lord,

By the last post I was honored with your Lordship's letter of the 20th Instant.

It would appear as if Lieutenant Colonel Butler meant to encourage the Six Nations in their intention of removing to the

Grand River, his reasons for so doing I am at a loss to know—unless it be to prevent their being detached from us and to have them more at liberty to Act with us in case of necessity Yet it is not at all Improbable that those who may have obtained Land from them, and have more extensive views may propagate those reports to encourage the Indians to abandon their Country Long ere this however Lieutenant Colonel Butler will have received my letter, in which I acquainted him with your Lordship's sentiments upon that subject, and directed him by all means to advise and discourage them from Removing, and I gave Captain Brant written Instructions to the same purpose

Lieutenant Colonel Butler and the Six Nations are perfectly acquainted with the extent of the Tract allowed for the use of the Six Nations by General Haldimand, but the inclosed Letter will shew what is meant by their desire to know the Boundaries of their Tract on the Grand River

I shall not fail to give every necessary direction to prepare the Indian Department, and the Militia of the Western District to guard against any attempt that may be made to Insult them in those parts, at the same time I do not apprehend the least danger and only look on those reports as the Vaunting of a set of men who feel sore by the detention of the posts from them, for the reasons they assign—yet I am confident they would be the last to make the attempt threatened. more is to be apprehended, I should imagine, from the eastern people, now settled in the neighbourhood of Oswego and Niagara—Nothing occurs to me necessary for putting our strength in the Upper Country in a better state of Defence than the strengthening the Garrison of Oswego and that orders be given to the Commanding officers of the several Posts, in case of Invasion, to furnish Arms & Ammunition to such of the Militia as may stand in Need of them, upon the Requisition of the Commanding Officers of the Battalions—for want of an order something similar, I shall ever regret the failure of an Expedition, the Success of which would have been attended with the greatest advantage to His Majesty's Service

I have the honor to be &c.

John Johnson

His Excellency

The Right Honble
Guy Lord Dorchester
&c , &c , &c

(Q 46-2, pp 435-7)

Colonel Harris commented adversely on Colonel Butler's conduct in becoming involved in land speculation and discredited his explanation, which he forwarded

From Colonel J A Harris to Captain Le Maistre

Niagara, 26th May, 1790

Sir,

In my letter of the 26th of February last I acquainted you Lieut Coll Butler had shewn me a sketch of a Tract of Land, to the *Eastward* of this place which he meant to take up I express'd my disapprobation and represented the Impropriety of it to him Notwithstanding which the *Business* was *transacted* and a Deed obtained from the Indians—This Deed has been given up within these few days

The inclosed I received from Col Butler in answer to some question asked him relative to lands held in the states

The true state of the case I have reason to believe is this—a sett of People call'd the Niagara Company have obtained Land in the states (near Genecies) to the Amount of Fourteen shares—each share consisting of Twenty thousand Acres and the Members of the above Company I am informed are Messrs Lt Col Butler Capt Powell, Lieuts Johnson and Dockstader Street Barton from the states (residing when here at Mr Streets) and Murphy the Blacksmith and I have understood the Lands were to be held in the names of others, under title from Phelps Gorham & Co

When Mr Street went from this he told me it was to bring in his property mostly cattle and asked me if it would be convenient to take them for the Garrison in exchange for salt provisions, his principal errand I believe is the Land jobbing business abovementioned

Mr Frey[1] notwithstanding his assurance to me of returning as early in the spring as possible has wrote word to his Creditors, that he means to remain where he is

I have the honor to be &c

Jno Adolps Harris
Lt Col Comg Upper Posts

Capt Le Maistre
M S &c

As the proposal for granting a further measure of self-government to the inhabitants and the probable division of the province was then under consideration Lord Dorchester forwarded the regulations lately adopted for the grant of lands to encourage settlement which he accompanied with a form of the list to be used for distinguishing the United Empire Loyalists from other settlers

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[1] Philip R Frey, the Deputy Surveyor.

FROM LORD DORCHESTER TO W W GRENVILLE

No 25 Quebec 27th May, 1790

Sir,

The King's Instructions restraining the further Grants of land within the province under my government inclosed in your circular letter of the 10th of March signifying at the same time, that it is not His Majesty's intention to preclude any claim to a grant of land founded on any antecedent step that in equity gives a title to such grant induce me to transmit the inclosed Regulations although they are part of the Council Minutes concerning the waste lands of the Crown in this Province as it may be proper on this occasion to bring the whole into one view in order to shew the extent of certain equitable claims founded thereon

A speedy settlement of the Upper Country with profitable subjects provision towards a strong and loyal Aristocracy and the reservation of certain tracts in every township for future uses, appear, on perusal to be the chief principles on which they were formed

A number of well affected persons have upon the faith of these regulations emigrated from the United States into the upper part of this province and there is reason to believe, that a continuance of the same spirit if not checked on our part, will fill that extensive country, which under the free tenure already promised to the settlers, may soon be brought to a flourishing condition

Care has been taken to reward the spirit of loyalty and industry to extend and transmit it to future generations and to predispose for the political classes and distinctions necessary to good order by opening the road to affluence and honors to all whose diligence and fidelity shall keep pace with the benevolent intentions of the King's government

Nearly one seventh (exclusive of roads and spots for public uses) of every Township or parish is reserved for the future disposition of His Majesty, and this I conceive to be as much as can be left in an unimproved state without injury to the present settlers—These reservations will no doubt become valuable when the population is advanced and then may assist in providing for the Provincial expenditure.

It is essential to the security of the King's dominions on this continent, that the people be Attached by the strongest of all ties, their own interest The Landholders must ever be the chief defence of this country, and should have nothing to gain, but much to lose, by a separation from Great Britain—An easy tenure of their lands will prevent a fruitful source of discontent

And while I am on this subject I cannot help expressing a wish, that in whatever manner it shall please His Majesty to dispose of the Estates of the Jesuits in this province, the mutation fines, to which the tenantry are subject, may be abolished.

It will be economy in the mother country to avoid the necessity of sending her treasure abroad for the support of her provincial governments; And her immediate advantages will depend upon the consumption of her manufactures, and the profits of a fair and liberal commerce.

The expediency of a strict observance of political justice, in the distribution of the Royal favors, and of the admission of all classes of the King's subjects to offices of honor and profit, in proportion to their merit and usefulness to the state, is too obvious to require being enlarged upon.

A schedule of the Inclosures is subjoined.

I am &c.

DORCHESTER

The Right Honble

W. W. Grenville.

(Q 44-1, pp. 191-4.)

BLANK FORM OF ROLL FOR UNITED EMPIRE LOYALISTS

Roll of Captain　　　　Company of Militia of the

Battalion of　　　　District of

Names		Numbers				
N.B.—Those Loyalists who have adhered to the Unity of the Empire and joined the Royal Standard before the Treaty of separation in the year 1783 and all their Children and their Descendants by either sex, are to be distinguished by the following Capitals, affixed to their names: U. E. Alluding to their great principle The Unity of the Empire.	Age	Married	Unmarried	Absent	Infirm	Fusils

D

In Lord Dorchester's to Mr. Grenville

No 25 of the 27th May, 1790

(Q 44-1 p 224)

In a second letter of the same date he described the precautions he had taken for defence

FROM LORD DORCHESTER TO W. W. GRENVILLE

No 26
See 1 to 7

Quebec 27th May, 1790

Sir

Late Accounts from Niagara copies of which are inclosed state that the Indians were much alarmed by intelligence of hostile designs against the posts of Oswego and Niagara.

The Commanding officer of the Upper Posts has therefore been ordered to take all necessary measures for their defence, to consider any Attempt to wrest them from us as a commencement of War, and to repel it as such agreeable to former orders given in December, 1786

Sir John Johnson has likewise received orders to take all proper measures to meet such an event—Lieut. Humphrey of the Royal Engineers has been sent to Niagara, and Lieutenant Bruyere of the same Corps to Fort Ontario to repair the damages sustained by the works in the course of the winter

The Indians about Niagara having taken umbrage at some part of Lieutenant Colonel Harris's conduct towards them, it becomes necessary to relieve him from the command of the Upper Posts Lieutenant Colonel Gordon with the 26th regiment will therefore be sent to Niagara, and Major Smith with the 5th regiment to Detroit

I am &c

DORCHESTER.

The Right Honble

W. W. Grenville.

(Q 44-1, pp 238-9)

The following letter from Lord Dorchester to Sir John Johnson shows that he was greatly disquieted by reports of hostile designs and was not inclined to ignore them

From Lord Dorchester to Sir John Johnson

Copy Quebec 31st May, 1790

Sir,

Though I may be inclined to think with you that the United States have no hostile designs at present, yet it is necessary that every preparation be made on our part to meet such an event however improbable

The garrison of Oswego shall therefore be strengthened, and the Commanding Officers of the Upper posts ordered, in the event of hostilities, to furnish Arms and Ammunition to such of the Militia of their Districts, as may stand in need of them, upon your requisition, as far as the quantity in store may admit, consistently with the immediate defence of the garrisons

You will be pleased to inform me, whether any, and what arms and accoutrements have been restored to the several disbanded Corps of Royalists in this Province from the deposits in the Upper Country, in consequence of the General Order of the 16th of February 1789, and what further quantity may be requisite to be deposited at the different posts to arm the Militia of the Western Districts in case of emergency

I also wish to know your opinion whether it may not be advisable in case of further continuance of hostile appearances to embody a Battalion of Militia in the Upper Country, under the Ordinance of 1787

As the Mohawks on the Grand River have not been able to preserve peace among themselves, and a part has in consequence of their quarrels quitted the Settlement there is still greater reason to fear, that an Accession of others, not of the same tribe, will renew these Evils, and occasion much uneasiness to themselves as well as to the Loyalists, besides the general detriment to their own interest

I am &c

(Signed) Dorchester

To
Sir John Johnson Bart

Endorsed—In Lord Dorchester's to Mr Grenville No 56, dated 17th Oct 1790

(Q 46-2, p 440)

Among other persons consulted by Mr Grenville at this critical period one of the best informed was John Inglis the senior partner in a firm of London Merchants deeply interested in the Canadian fur trade

From John Inglis to W W Grenville

Mark Lane, 31st May, 1790

Sir,

Agreeable to your request I have the Honour to send herewith for your information a state of the Indian Trade at the different posts in Canada

I believe I may venture to assure you that it is correct as far as any estimate of a fluctuating Trade can be made

I beg leave also to mention that the Merchants in this Country & in Canada, who are engaged in this adventurous Traffick have generally a property embarked & chiefly in the Indian Country equal to two years returns & there is besides fixed property of considerable value at the Posts of which I think an Estimate was furnished from Canada for some of the departments of Government

When it is in your power to see us I will be ready to attend with Mr Todd[1] the gentleman I mentioned on Saturday He has been long engaged in the Trade & has within two years been at the principal posts He can I am sure furnish every information you may wish, relating to the Indian Trade

If Military Information is wanted may I be permitted to suggest that Lieut Coll De Peyster of the 8th Regt can probably furnish the best. He has the reputation of being a sensible & intelligent Officer has served more than twenty years in that Country & during the late War, generally commanded at one of the Garrisons as I understand with much satisfaction to Sir Fredk Haldimand & with very great Reputation to himself

I have the Honour to remain &c

John Inglis

Endorsed Mark Lane May 31, 1790
Mr Inglis
R 1 June.
I Inc

(Q 49, pp 287-8)

The statement enclosed by him was illuminating as to the extent and value of the fur trade

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[1] Isaac Todd of the firm of Todd and McGill of Montreal

State of the Fur Trade in Canada

The produce in England of furrs & skins imported from the province of Quebec taking the trade at the average of the last ten years amounts to the sum of Two hundred thousand Pounds Pr Annum, which furrs &c are traded for in different districts as nearly as can be ascertained as under, vizt

The whole Country & Posts below Montreal	30,000	
The Grand River—The North side of the Lakes Ontario, Huron & Superior	30 000	
		60 000
In the Country generally called the North West	40 000	
In the Countries to *Southward* of the Lakes, the trade of which are principally brought to the Posts of Detroit and Michilimacinac, there being very little Indian Trade at Niagara	100 000	
		140,000
as above		200 000

Although there is no Indian Trade of consequence at Niagara that Post is the key of the communication to the principal Trade of the upper Countries of Canada—It is very uncertain whether the Trade to the North West can be carried on otherwise than by the post of Michilimacinac

The American Claim extends to the Lake of the Woods, if admitted they command the present Communication from Canada & in that case the Trade also as stated above at £40 000. The Trade stated above at £100 000 is carried on by Traders who go into different districts as under

In the district of the Garrison of Detroit vizt

The Fort of Detroit, Segana & the south side of Lake

Huron	1 000
Miamanies & Wabach Country	2 000
Sandusky	400
say	3 400
Say 3,400 packs of furrs estimated at £12	40 800

In the district of Michilimacinac vizt

On Lake Michigan

The Grand River	100
St Joseph's	300
Chequago	100
Milwaki	120

La Bay or Green Bay including the upper part of the Mississippi	1,500	
The South side of Lake Superior	300	
The Illinois Country	600	
	3,020 packs of	
Furrs estimated at £20 each is		60 400
		101,200

This computation exceeds the Sum in the general Estimate £1200

From this short state of the Indian Trade it appears that if the Country & posts are ceded to America agreeable to the Treaty 3/10 of the Furr Trade of Canada will only remain for certain to Great Britain—1/5 is dependent upon Contingent circumstances—The remaining half will inevitably be lost It is true that probably 3/5 of the Merchandise necessary for the Supply of the Indians will in any event be furnished by Great Britain but the labour of the great number of persons employed in the Trade from Canada is of importance as well as the Trade with the British Settlers at Detroit where the fixed property & cultivation is of considerable Value

It is presumed that America is not well prepared to Garrison the Forts, to protect the Traders & carry on the Trade with Effect & that dissatisfaction or War with the Indian Nations will be the inevitable consequence of their being abandoned by the British Troops All which is humbly submitted

PHYN ELLICE & INGLIS

London, 31 May, 1790

(Q 49, pp 289-90)

Captain (afterwards Admiral) John Schank, who had commanded the naval force on the lakes supplies the Minister with precise information respecting the state of the military posts and ships on those waters based on personal knowledge

MEMORANDUM BY CAPTAIN JOHN SCHANK, R N

1st Oswegatchie is the first place on the navigable part of Lake Ontario at the East End and on the American side, but should it be necessary there is ground on the British side, which would answer the purposes intended for the Fort & Storehouses

2nd Oswego is next on the American side and in my opinion is the only place of any great consequence to them, and indeed the only one that would give them any advantage over the British in the Fur Trade as it is the leading passage from New York through the Oneyda Lake, and as there is no ground nearer than the opposite shore, which is about 40 miles across, it would not be possible to prevent British Merchants from trading with those of the American States, and carrying their Furrs to New York in preference to Quebec

From Oswego to Niagara there are some few Bays where Boats may lie in Summer but of no great consequence

3rd Fort Niagara is the largest Fort and of the greatest force, both with respect to guns & Barracks &c on the American side, but the ground on the opposite shore is in my opinion equally high, and the soil better so that every conveniency necessary for a Post could be erected on the British side, with a Carriage road as good as that now on the American shore, and the conveniences for shipping are all, and ever were, on the British side.

4th Fort Slosser is the next on the American side and above the Falls of Niagara chiefly intended to protect the Provisions and merchandize which may be sent up Lake Erie A Fort with all other conveniences may be erected on the opposite shore

5th Fort Erie is on the British side and at the foot of the Lake, and is as well suited for the protection of Merchandize &c as appears to me to be necessary and is near the Road where the Shipping lie.

The other shore is not in my opinion so well adapted for the above purposes

6th The next place on the American shore that forms anything like a Harbour for the reception of Vessels is Presqu'isle, which river leads near to the branches of several others running towards the States

7th At the West end, and towards the South side are the Sandusky & Miamis Rivers They lead away to the South into the States and towards the Mississippi and many other branches of that River, and I believe is a good Country for Furs

8th The next place on the American side is the Town & Fort of Detroit and a Settlement of some miles distance on both sides of the River, but a Fort could be erected equally as commodious on the other side as I believe there is little difference with respect to the ground The River is about the same breadth as that of Niagara which I consider to be nearly the distance of a musket shot

9th Michillamakinac and the Falls of St Mary's, Lake Superior, and the Lake of the Woods, I cannot speak of with certainty, as I have never been there, but it appears to me that the line of division points them out as favorable to the Americans, as the passage into Lake Superior is on the West side, the East side being I understand rocky and almost impassable and that most of the Furs are got to the West of these Lakes

Endorsed—

Accot. of the Posts in Canada
R. from Capt. Schank, May 31, 1790

(Q 49, p. 291.)

MEMORANDUM BY CAPTAIN JOHN SCHANK, R N.

List of Ships now on Lake Champlain, vizt :

	Tons	Guns
Royal George	384	26
Inflexible	204	22
Maria	129	14
Carleton	96	12
Washington	127	20
Trumbull	119	14
Liberty	37	8

All these ships are old but repairable

List of Ships now on Lake Ontario belonging to the King

Limnade	220	16
Seneca	130	18
Caldwell	37	2

Old but repairable

2 schooners of 100 Tons each building
Merchant Vessel on the above Lakes
Schooner Lady Dorchester 90 Tons
Some large Boats or Craft belonging to the Settlers on this Lake

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Kings Vessels on Lakes Erie & Huron

Rebecca	136	16
Felicity	45	
Windot	37	
Chaboagar	37	

Repairable

The above is all the King's Vessels, and built before 1783 I believe there are some others now building Belonging to Merchants on the above Lakes

Beaver	40 Tons
Saganaux	40 Tons
Industry	20 Tons
A Vessel to be launch d this Spring	90 Tons

On Lake Superior

Two small Vessels belonging to the Company trading to the N. West about 12 & 15 Tons

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Indorsed. List of Ships &c on the Lakes
R from Capt Schank May 31 1790

(Q 49, p 295)

Proceedings of Land Board

'Land Board Nassau 7th June, 1790

"Present: Lieutenant Colonel John Butler, Peter Ten Broeck Nathaniel Pettit Esquires

"The Board having met according to appointment, took into consideration several petitions, viz. two from the Distressed inhabitants of this District, Dated 15th May 1790 praying a longer time than the stated period for making returns for the provisions lent to them by Government One from Elizabeth Thompson[1] (Widow) stating that His Lordship had been pleased to grant the petitioner some lands upon an application made at Kingston last Summer, praying that the Board will make known to her the quantity of lands his Lordship will be pleased to allow her, also a petition from Samuel Street, Esquire, which the Board submit to his Lordship's consideration

Sir John Johnson was instructed to make a special journey through the western parts of the province to inquire into any valid reasons for dissatisfaction, in his dual official posts of Superintendent General of Indian Affairs, and Superintendent of the New Settlements

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[1] See also Papers and Records, Ontario Historical Society, Vol XXIV, p. 142

From Lord Dorchester to Sir John Johnson

Quebec 17th June 1790

Sir,

The paternal benevolence of the King's Government requiring that all causes of dissatisfaction and uneasiness among the Indians and among the settlers in the Western Country in general be minutely investigated and removed and His Justice requiring at the same time that all His servants shall execute their respective trusts with fidelity, free from doubts or suspicion, I avail myself of Your zeal and experience for the accomplishment of these objects, which I am persuaded will be best attained by your personal exertions on the spot.

You will therefore be pleased with all convenient speed to repair to the western parts of the province, where,

1. You will make all necessary inquiries into the conduct of the officers of the Indian Department in the discharge of their general trust as well as the due observance of the established orders and instructions at Niagara, Detroit and Michilimackinac, if the season, and the business of the two first mentioned posts will admit of your going so far.

2. You will take all proper means to discover the true temper and disposition of the Indians about the different posts and trace as far as possible the true origin of the late alarms spread amongst the Six Nations of hostile designs against the posts of Oswego and Niagara, as well as the causes of certain irregularities supposed to have been committed by the Indians near Detroit in consequence of which several of the Loyalists settled are said to have been obliged to abandon their farms. These matters require the greater attention, as they may be connected with the secret Machinations of designing persons inimical to the King's Authority and Government. It will be expedient to institute a solemn Inquiry into the truth and origin of the disorders complained of at Detroit by convening the Indian Nations, whom it may concern and requiring them to discover the motives of their conduct, examining such of the injured settlers, as may be within reach, and all others who may have any knowledge of these transactions, taking proofs upon Oath, and reporting the result with due particularity.

3. You will make diligent inquiry into the truth of the reports mentioned in a former letter of the 12th of April last, that several persons in the King's service, and others the King's subjects, in this province, are possessed of, or have interested themselves in the acquirement of Titles to lands beyond the line marked by the late Treaty of peace, in the Upper part of the country, under the pretence of title from the States or their subjects, or

the Indians. You will endeavour to ascertain all necessary particulars relative to such acquisitions agreeable to the aforementioned letter, and extend your inquiries in this respect to any points interesting to the government particularly what is the nature and object of the pretended titles and the views and aims of their Associates and whether any of the persons above described have actually taken Oaths of fidelity to the United States, or any of them, and what duties are exigible or expected as the condition for the enjoyment of such property. And you will at the same time inform yourself as fully as possible upon the present condition of the more recent occupations under the American States in their Approaches to the Line of Partition and in your report of the strength and intention of the settlements communicate your ideas upon the probable consequences and especially as to such as appear to you to give any ground for more than ordinary apprehension.

4. You will make the strictest Inquiry into all ill founded claims of individuals within the treaty line unfriendly to the general progress of industry and contentment in the western districts and into every illegal practice countenancing pretensions of title not warranted by Authority derived from the Crown. And I trust that your influence with the Indian Nations will enable you to prevent any ill designing persons from rendering them instrumental in any partial projects injurious to the public peace and tranquility, subversive of the benevolent intentions of the government and repugnant to the rights of the Crown as the only fountain of title to all the subjects of its protection.

5. You will in general lend your aid in all matters interesting to the prosperity of the western settlements and for that end sit as president of the different Land Boards wherever you may be present.

The Land Boards will bring you acquainted with the impediments they have met with, and they will not lose the opportunity of your presence and aid for concocting the means to remove them and for the speediest and fullest representations to me in all the instances requiring the special and more effectual interposition of the government.

It is of the highest consequence to the strength and prosperity of the western frontiers that the legal settlers who have obtained locations under the Authority of the Boards, set down in the firm confidence of the Royal protection and it is necessary to that end that their minds be free from every apprehension of insecurity and vexation.

6. On your arrival at Detroit, you will endeavour, if it is not already done, to effect as extensive a Purchase of Indian

lands on the North of Lake Erie, and along that shore up to Lake Huron as may be consistent with the comfort of the Indians, but their consent and full approbation is indispensably necessary

7 It having been represented to me that in the year 1784 Orders were given by General Haldimand to Captain Caldwell to collect and take with him to Detroit such of the disbanded Rangers as might wish to settle in that vicinity, upon a certain tract ceded by the Indians with whom they had served during the war, for that purpose that the then Lieutenant Governor of the post was at the same time ordered to give them the aids granted to disbanded Troops and Loyalists in the province, that a small number of rations was actually issued to some of these people at Detroit, in consequence of the said orders but that there are now complaints of a number of persons of this description having been deprived of provisions, to which they were entitled—You will make diligent Inquiry into the foundation extent and equity of these claims and report thereon

8 You will give such directions on the spot with regard to all matters concerning the Indian Department as you may find requisite and upon your return, or previous thereto if necessary make full and particular report to me respecting all the objects of these Instructions and on all other points connected with the security, comfort and welfare of the Loyalists which may occur in the course of your inquiries together with your opinion of the proper measures to be pursued therein for the advancement of the King's service and the prosperity of his subjects in that part of the province

I am &c

DORCHESTER

Sir John Johnson, Bart

(Q 46 2 pp 442-8)

By a second letter Johnson was required to make a particular investigation into the conduct of Colonel Butler which had seemed so reprehensible

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec, 17th June, 1790

Sir,

In addition to the Third Article of my letter of instructions to you dated this day and by which you are directed to make diligent enquiry into the truth of the reports mentioned in a former letter of the 12th April, last that several persons in the

King's service and others the King's subjects, are possessed of Lands beyond the line marked by the late Treaty of peace I think it necessary to Acquaint you, that a letter dated the 20th October, 1789 and received the 23rd April last states that it had been reported that some of His Majesty's subjects now residing in Canada have been in great measure parties in the purchases made of the Indian Lands and that it is believed that Colonel Butler is largely concerned in these grants and further it is desired in case the report is founded that Col Butler be called upon for a justification of his conduct in this respect it appearing on the first view to be no less than applying his influence with the Indians and which he derives from his official situation, to promote the objects of the United States of America and to further his own private interests—Wishing to give you every information I likewise enclose you copies of Letters from Lieut Col Butler and Lieut Col Harris of the 18th and 26th May last on this subject—I must add to the above that there are reports that it is Colonel Butler's intention to withdraw himself to the States

You are therefore desired to be very minute in your Enquiries on this head tho' at the same time you will proceed with all that delicacy you will perceive the nature of the case may require and if you find as suggested, you will be pleased to call upon Colonel Butler to explain the reasons of his conduct and report the same accordingly with your Opinion thereon

I am &c

DORCHESTER

Sir John Johnson, Bart

(Q 46-2 pp 449-50)

The number of applications to the District Land Board had become so large as to render weekly meetings advisable and it was decided to take a vote of the inhabitants on the site for a town

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau, 21st June, 1790

"Present Lieutenant Colonel Harris, Commanding the Upper Posts Lieutenant Colonel Butler, Peter Ten Broeck, Robert Hamilton Esquires

"The Board, having met, are of the opinion that from the variety of business which will come before them it is necessary to have regular and stated meetings for the despatch of business, and do for that purpose appoint every Monday at eleven o'clock in the forenoon for that purpose That the inhabitants of this

District be advertised of it accordingly and the Clerk proceed to fill up the certificates of location for such of the settlers whose claims are free from dispute The Board recommend meetings of the Militia to be called for the purpose of taking the sence of the inhabitants respecting the most eligible Plan for a Town and Public Buildins The following places* are offered for their choice, 1st, The Crown lands near Captain McDonnell's farm, 2nd the center of Township No 1 on the banks of Niagara River; 3rd, the rise of Mount Dorchester, above the landing, 4th the Glebe lands on Mount Dorchester, and that the same be reported on the second Tuesday of July next Adjourned to Monday, 28th inst

*The Crown lands mentioned above are solely meant with application to and the consent of Government obtained

J A H , R H , P T B

'Land Board Nassau 28th June 1790
'Present Lieutenant Colonel Harris, Commanding Upper Posts Peter Ten Broeck Robert Hamilton, Esquires

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Major Robert Matthews who had been Military Secretary to General Haldimand and his successors in command for nearly eight years, 1778 1786 and was known to have made an official tour of inspection of the western frontier posts had been called upon to make a special report on the subject of their contemplated evacuation for the information of the Colonial Secretary

From Major Robert Matthews to Evan Nepean

Plymouth Barracks, 9th July, 1790

Sir

I am sorry that, owing to the Reviews and sudden march of the 53rd Regimt from Bridgnorth to this place, I should thus long have been prevented communicating to you for Mr Grenville's information remarks upon the upper country and Posts in the Province of Quebec from reference to my notes when in that Country such as they are I have now the honor of submitting them

[1]

In the year 87 I went from Quebec to Detroit having various instructions from Lord Dorchester one of which was to make every possible enquiry respecting places of Embarkation and fit

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[1] See No 39, pp 111-2

Posts upon the Lakes Ontario and Erie as substitutes for those at present occupied, in the event of their being given up to the United States of America From the best information as well as from my former knowledge of the Country, I found that on Lake Ontario there is no place beyond Niagara fit for that purpose nearer to it than Toronto (about 60 miles) the shore on that side being shoal and without any harbour this seems to preclude all communication between these Lakes in the vicinity of Niagara should that place be given up (unless a Post is established on the opposite side of the River) which, on account of the Trade as well as the fine settlement thence to Fort Erie and beyond it (about 80 miles in Extent) would be a melancholy necessity, as it would lay them open to the Americans, which the sanction of a post at present prevents. There is a point of land on our side of the River, opposite to Niagara which forms the mouth of the River, equally well situated to command the entrance of it—this Point and a necessary portion of land was reserved to Government by Sir Frederick Haldimand with a view to the necessity of one day taking Post there—about 1100 yards up the River, on the same side there is a harbour where the vessels formerly wintered, & where they can run alongside a Quay

Fort Niagara is situated upon an angle formed by the Lake and River; the side next the land was two half Bastions with a long curtain and Ravelin all of sod work, there is a strong stockade in the ditch, which is dry and on the Berm a smaller line of Pickets sloping outwards, there are two Blockhouses of mason work in the gorges of the Bastion, mounting each two pieces of cannon en barbette which commands the whole country within their range

The sides next the Lake and River are stockaded, the former not open to attack except from the Lake nor the latter but from the opposite side of the River (at the distance of 7 to 800 yards) this side has two Bastions mounting 12 & 18 pounders the whole in a good state of defence

Fort Schloser, or little Niagara is situated at the upper end of the carrying place 14 miles from Niagara, it is an inconsiderable stockade intended merely for the protection of stores & merchandize while in waiting for conveyance, and will lodge an officer and 40 men—On the opposite side of the River a reserve of land was also made in order, when it might be necessary to remove the carrying place

From Fort Schloser, the conveyance is in Bateaux to Fort Erie 18 miles farther and the Post of Embarkation upon Lake Erie for Detroit this is the only Post remaining to us by the Treaty

The work consists of four small Bastions, two of bad mason work washed by the Lake, and two on the land side stockaded, it is quite in ruin, and was originally very improperly placed, being commanded within a short musket shot, and exposed to injury from the Lake in Southerly and Westerly winds if we keep that Country, a good Post here will be indispensably necessary

Detroit is situated 18 miles up the River from Lake Erie, its principal defence is a sod work hastily thrown up on the commencement of the Rebellion it has four sides with half Bastions a Fraise upon the Berm and a good stockade in the Ditch, the greatest diameter of this work is not 300 feet, it commands the upper part of the Town (at the distance of 250 yards) but the other part situated upon a slope to the River is not seen from it there are about 22 nine & six pounders mounted here, with Barracks Stores &c proportioned to its size, it is connected with the Town by a strong stockade flanked by wooden block houses all which form a good defence against musketry or any sudden attack Should this Post be given up and another taken, the most convenient place will be at the entrance of the River upon a point at present occupied by some officers & men who served the war as Rangers with the Indians—the channel for ships runs between this Point and Isle au bois blanc which should be also fortified the distance from each to mid channel about 200 yards There is a fine settlement running 20 miles from this point on the north side of the Lake

The next and last Post on this communication is Michilimackinack, at the farther end of Lake Huron situated upon an Island about nine miles from the main, the works here never were finished, and its insular situation is its chief defence this is the great resort of the Fur Traders fitting out for the N West Trade and the centre of a very considerable one in that vast Country to the Mississipi for this Post, no good one, I am inclined to think can be substituted nearer than the Falls of St Mary very many leagues from thence that might answer for the N West Trade as the Furs are brought from thence down the Grand or Ottawa River directly to Montreal leaving the Lakes to the Westward but the loss of Makina will entirely sever from us the Western Trade above mentioned, which is carried on by the Lakes, the greatest part of which, there can be little doubt, will pass by the Oswego River into the United States, and the N West Trade, or a part of it, must ultimately be drawn that way also from the same cause

I cannot finish without taking notice of the Post of Cataraqui (now Kingston) situated in a Bay on the Lower end of Lake Ontario—it was a considerable Post for Trade with the French, well fortified and garrisoned but was never occupied by us until the year 83 when the Commander in Chief considering it a proper place to withdraw the Provisions Stores &c to in case the Posts should be relinquished, established a Post and Settlement of Loyalists there extending many miles upwards which has daily increased, and will if not interrupted, continue round that side of the Lake to Niagara—at Kingston there is an excellent Harbour, and here the Trade upwards will embark for Niagara

Without Posts of strength in that Country it cannot be expected that much of the Trade will remain with us, and how far it may be preserved by forming Posts in lieu of those we now occupy is, I think very problematical The Indians have ever since the Peace dreaded our relinquishing the Posts and will assuredly take the alarm whenever that happens after which their Friendship can, of course no longer be depended upon

I have the honor to be with great esteem, Sir

Your most obedient and most humble Servant

R Mathews

I have annexed an Abstract of the Peltries from the N West & Michilimackinac & Dependencies, I think of the year 88 on which you may depend

(Q 49, p. 309)

Dorchester suggested the expediency of promoting the exportation of the produce of the United States through the port of Quebec by a treaty of commerce

From Lord Dorchester to W W Grenville

Quebec, 21st July, 1790

No 43

Sir,

While the affairs of this Country are under consideration it may not be amiss to submit to the wisdom of His Majesty's Councils whether it is not expedient to allow all the produce of America of what kind or nature soever which shall come to the ports of Quebec or Montreal by Land or Inland Navigation to be exported by sea, under the same regulations and with the same advantages, as the produce of this province leaving the Provincial Legislature to regulate the internal consumption, as their own interest may require It seems to me that this measure, in the natural course of things must produce three considerable advantages, Canada must gain by the passage of all commodities through the Country Great Britain by an increase of her carrying trade and both by interesting our neighbours to preserve in the hands of Great Britain, this outlet to the sea and to the most profitable markets for all their produce, the advantages of this system will increase in proportion to the extent of its operation

Perhaps it may not be advisable at once to open to the full extent all these indulgences but to leave it to the Governor as at present the power of extending them as the condition and progress of things may require, that our settlers on the north side of the lakes may acquire strength and get the start of those on the opposite shore in population improvement of their settlements, and the Navigation of the upper Lakes

Though it does not appear at present to be our interest to encourage the settlements of our neighbours south of those lakes and the river Saint Lawrence nor yet to check them by any violent measures, but to let them take their own course, while they keep at a proper distance we ought nevertheless to pay a vigilant attention to their progress and act as the change of things may require taking great care firmly to establish in those parts the national character for justice moderation and liberality never to be departed from under any change whatever however uniformly this policy be adhered to near the source of government, to establish and maintain it in those distant countries will require great care and constant attention

It appears to me highly proper to form alliances with our neighbours as soon as all things are well matured for that purpose but their own interest alone can render them zealously attached to us and give duration to any of their engagements

I am &c

The Right Honble DORCHESTER

W W Grenville

(Q 45-2 pp 532-4)

Mr Grenville repeated the previous instructions to Lord Dorchester that every effort should be made by the officers of the Indian department to restrain the Indians from attacking the frontier settlements of the United States

FROM W W GRENVILLE TO LORD DORCHESTER

No 29 Whitehall, 4th August, 1790

Right Honble
Lord Dorchester

My Lord,

I have had the Honor of receiving and laying before the King Your Lordship's Dispatches No 19 to 38 inclusive. I have also received your Three Letters marked "Private and separate" of the 27th of May & 7th June.

At the same time that I acknowledge the very full Intelligence upon Indian Affairs contained in No 26, 35, 37 and others I must lament the Depredations and Excesses which they state to have been committed by the Indians on the Ohio, and near Detroit, particularly on account of the Embarassment and Danger which may arise from the Americans sending an Army against them.

Every Endeavour should on this Account be used to restrain them, and I hope that Colonel Butler's exertions to that End and the Message of Remonstrance which has been sent to them from Detroit, will have proved effectual.

The Probability of Your Lordship's speedy Return to England, and Lieutenant Governor Clarke's Presence here at this moment, make it more unnecessary for me to enter into a Discussion by Letter, of the several Matters under consideration in the Indian Department, or of the subjects mentioned in your other Dispatches.

I am &c.

W. W. GRENVILLE

(Q. 45-2, pp. 510-11.)

Immediately after his arrival at Niagara, Sir John Johnson complied with one article of his instructions by presiding at two meetings of the Land Board.

PROCEEDINGS OF LAND BOARD

"Proceedings of a Land Board Held at Navy Hall, the 23rd August 1790.

"Present: Sir John Johnson, Bt. President, Lieutenant Colonel Harris, Commanding Upper Posts, Lieutenant Colonel Butler, Peter Ten Broeck, Robt. Hamilton, Esquires.

"The first business brought before them respected the disputed line in the front Concession from Showers to the upper part of Township No. 1, when the Board taking into consideration that by the first line these lots were settled, that any alteration now made in them must derange the whole settlers, and that this matter was also formerly determined by a Board of Magistrates before any Land Board was formed.

"They determined that the original lines as made by Allan McDonell in these front lots, shall be held good and that the occupiers shall keep what lands they possessed in consequence of that original survey

"A memorial from Augustus Jones was laid before the Board, stating his services since Mr. Frey's departure from this settlement, as surveyor, and that these have not in any way been compensated for. The Board considering that his time this Winter had been entirely taken up in this service, direct that application by petition shall be made to head quarters that the pay of the person appointed surveyor may for that period be given to Augustus Jones and to be continued to him while the Board shall think proper to employ him in that line

"Adjourned to the 25th Instant

"Land Board held at Navy Hall, 25th August, 1790

"Present Sir John Johnson, Bt., President, Lieutenant Colonel Butler, Peter Ten Broeck Esquire, Robert Hamilton Esquire, Nathaniel Pettit Esquire

"A disputed Claim on lots No. 19 and 26 in the first and second concessions of Township No. 1, between Lieutenant Colonel Butler and John McNabb Esquire, determined in favor of Lieutenant Colonel Butler, as the certificate by which Philip Frey held these lots and which he had assigned to John McNabb was found illegal, being signed by John Collins posterior to the regulation depriving all surveyors of that power and vesting it solely in the Land Board

"A memorial from a number of the principal inhabitants, officers of Militia, and others stating the want of a place to erect public buildings on, and praying Lord Dorchester to grant them a part of the lands near Navy Hall reserved for the use of Government, was presented and being approved of, was directed to be transmitted to his Excellency and the President, Sir John Johnson, is requested to take charge of this

"Received a Letter from Augustus Jones stating that a number of chain bearers and others employed by Mr. Frey, still remain unpaid, the Board resolve to take the accounts in which these are included into consideration the earliest opportunity

"Adjourned until to-morrow, 26th instant.

"N. B.—The Board did not meet pursuant to this adjournment."

The interpreter who had been present at the councils of the Six Nations held to consider the sale of their lands in the State of New York, gave the following circumstantial account of their proceedings, which was supplemented by written statements from Ralfe Clench, Joseph Brant, Augustus Jones, and Colonel Butler himself, and a complaint from some chiefs of the Senecas who were dissatisfied

STATEMENT BY WILLIAM JOHNSTON

William Johnston Interpreter at Niagara for the Six Nations, his Account of the Transactions with respect to the Sale of the Indian Lands

Buffaloe
Creek 20th
Octr 1787

Mr Livingston and Doctor Benton sent a Message to the Six Nations inviting the principal Chiefs to their fire place.

Old Smoake and the Chiefs sent the farmer's brother a Seneca Chief and two or three of each Nation to let Livingston and Benton know the season was too far advanced for them to attend the meeting, and many of the principal Chiefs were absent that those Warriors now sent were to cover over the fire until the spring & not to enter on any business whatever

Mr Livingston & Benton had said in their speech they were impowered by Congress to hold a treaty with the Indians of the Six Nations at Canadasaga

Novemr 20th Several of the Warriors sent by Smoake to cover up the fire returned from Canadasaga and informed him and the Chiefs that Livingston and Benton had taken a Lease for the whole Indian Country, that when they signed the paper they were told it contained speeches that passed between them and an Agreement to see each other in the spring at that place, there is every reason to suppose Abael[1] and a few others were bribed to get the Lease signed

Old Smoake being unwell and not able to do business at this time the Chiefs applied to Colonel Butler for advice as they heard all their Country was sold by a few young men which sale they did not think legal

Livingston & Benton being to pay for the Country sold in the spring at Canadasaga the Chiefs wished Colonel Butler to be there at that time as they were determined not to Agree to the sale or to part with their Country—Col Butler said everything in his power should be done to assist them, but he could not see what steps to take in order to recover the country as they had given a Lease for the whole of it that if he could think of anything proper to be done, he would let them know—he then said there was one thing he had thought of that might serve them which was for the Chiefs to give him and some other person a lease of the Conutry and date it before the date of that given to Livingston and Benton, he desired them to consider of it and if they agreed to it they might keep the Land or he would keep it for them the Chiefs readily agreed to this and in March he Capt. Powell and Mr Murphy got the Lease signed by the Chiefs at Buffaloe Creek which Colonel Butler said was the only thing that could serve them

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[1] John O Bail

April—The Six Nations had a general meeting at Buffaloe Creek and sent for Colonel Butler to be present as they had received a message from Governor Clinton inviting them to a meeting at Fort Stanwix—Colonel Butler and Lieut Vassall of the 65th Regiment came to the meeting when the Chiefs agreed to send a Message to Governor Clinton Mr Livingston & Benton, inviting them to their fire place at Buffaloe Creek where the business of the Six Nations was done, the Chiefs then insisted on his going with them to Canadasaga to take Messrs Livingston & Benton by the hand and lead them to Buffaloe Creek the fire place of the Six Nations, he told the Chiefs he could not do this without leave of the Commanding Officer and advising Colonel Butler of it and it was inconvenient for him and the Chiefs still insisted on his going and some of them went to Niagara and acquainted Col Hunter and Col Butler that they were desirous he should go with them, which they approved of

In May he left Buffaloe Creek with three or four Chiefs of each Nation of Senecas, Onandagas & Cayugas on the way he strongly recommended it to the Chiefs not to accept of any present from Livingston or Benton but only deliver their Message get an answer and return the Chiefs requested he would use his endeavours to prevail on Livingston & Benton to go with them to Buffaloe Creek, where the business could be settled in the presence of all the Six Nations

In June they arrived at Canadasaga when the Chiefs delivered their message to Doctor Benton and a Mr Gilbert Livingstone not being there, Benton said he did not intend to Comply with the Chiefs request not thinking himself safe in going to Buffaloe Creek, and their Agreement with the Six Nations was to pay them at Canadasaga and as there was a sufficient number of Indians present he would pay them for the Country they had purchased, he then told the Doctor he thought the Lease was not Legal which they had taken for the Indian country, as not one principal Chief had signed it and that those who had were not authorized to do it that he thought for their own safety they should go to Buffaloe Creek and have the matter settled, as the Indians in general were greatly dissatisfied, and that any agreement he might make there would be by the consent of the whole of the Six Nations. Benton then said he was informed some gentlemen at Niagara would do all in their power to prevent the Indians parting with their Country which was one reason he declined going to Buffaloe Creek he said he knew nothing of this and that the Indians could act as they thought proper respecting the sale of the Lands, that he could see no danger in their going to Buffaloe Creek.

A Mr Barton, Benton & Gilbert then had a long Conference together, and the next morning Benton & Gilbert told him they had agreed to go to Buffaloe Creek and that Doctor Kirtland would go with them. The third day after they left Canadasaga, and about twelve miles from it met Mr Phips[1] and Mr Lee who had been at Niagara and were returning. Phips told Benton he was glad to see him and wished no time might be lost in their going to Buffaloe Creek where they arrived the of June. he left them in the Indian Village and went to his trading House at the mouth of the Creek where Colonel Butler arrived in a few days and desired him to go with him to the Village which he did.

The first business the Chiefs entered upon was an Enquiry about the Lease taken by Livingston and Benton, and desired to see all the papers, and have a particular account of what passed at Canadasaga at that time

Mr Phelps let the Indians see the Authority he had to treat with them having purchased from the State of Massachusetts Bay whatever Claim or pretensions they had for making Purchases from the Indians ,and his business was now to treat with the Six Nations for a sale of Land. Benton then told the Chiefs if they agreed to dispose of a part of their Country he would give up the Lease he had taken at Canadasaga they Answered that they would consult among themselves. Colonel Butler then gave up the Lease which Powell Murphy & he had got the Indians to give by the Colonel's advice, the Chiefs were consulting four or five days but could not agree in opinion, the Seneca Chiefs desired to have Colonel Butler's advice about parting with their Land, he said they had not asked it before, which he thought they should have done, or why did they send for him, that it now appeared to him it would be best for them to part with some part of their Country, as the Lease they had given to Livingston & Benton would not be delivered up if they refused it, and Phelps said he would join Livingston & Benton, that it was better for them to have some part of the Country than to part with the whole, that he only gave his advice and the Chiefs might do as they pleased

The Chiefs frequently asked his advice, he said he was only a trader among them, that he wished they and the people of the United States might settle the business peaceably, three or four days more passed in consultation when the Seneca Chiefs sent for him and told him they had been all night with Phelps Benton, Gilbert & Lee, that they insisted on having the Country to the Genesee River two miles below the Canawagaras Village on that River and about miles from Lake Ontario then to cross the River two miles below Village a west course twelve miles keeping twelve mile distance from the River until it came to Lake Ontario, and that two miles below Canawagaras Village up the Genesee was to be the Line between Mr Phelps and the Six Nations, that they had not informed the other Nations of it, as they intended first to speak to Colonel Butler and then inform the other Chiefs of it and desired him to let Col Butler know they wished to see and consult him when the Seneca Chiefs informed Col Butler of it he said he was glad they were like to agree with Phelps & Co, that they had been long about it, and he did not think they would have parted with so much of the Country, the Chiefs said it was not in their power to settle the affair in any other way

The June the whole of the six Nations agreed to give Phelps & Benton a Lease of the Country according to the before mentioned bounds, Col Butler, Captain Brant & Mr Kirtland[2] were appointed by the chiefs to fix the price for the Country sold Phelps was to pay Dollars at the first payment and five hundred yearly Benton's first payment was to be Dollars and one thousand dollars every year, the Chiefs signed the Lease and Colonel Butler and Kirkland[2] signed as witnesses, as he was leaving the village Mr Street told him that Mr Phelps wanted to see him when Phelps & Benton asked him if he would have any of the Land they had purchased, he informed Col Butler of this who told him he saw no impropriety in his having lands from Phelps & Benton that he intended to get some for his relatives in New England if he could have them cheap Capt Powell Barton Murphy and himself then agreed to take lands from Mr Phelps and Mr Street & Barton said if it was left to them they would settle it with Mr Phelps and Mr Street said some hard money would be wanting and asked Powell and him how much they had Powell said about three hundred pounds York Currency—Mr Street said that would do for their parts for the first payment and that he and Barton would endeavour to hold fourteen shares in Phelps purchase as in a short time these lands must be very valuable—Powell and he gave the three hundred pounds being easily persuaded out of their

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[1] Probably a clerical error for Phelps

[2] Samuel Kirkland the missionary

money, for which they have had no satisfaction and were as much deceived in parting with it, as the Indians were in parting with their Country

The 19th of September he received a letter from Col Butler informing him of the death of Mr. Stevens and that he had recommended him to Sir John Johnson as Interpreter to the Six Nations and desired him to come to Niagara as soon as he could, which he did after being there a few days, he spoke to Col Hunter about those who had lands in Phelps & Benton's purchase, Col Hunter said he saw no impropriety in holding Lands in the states but advised him to make the most of them as soon as he could, he then enquired of Mr Street the quantity of land in a share as he was to have one. Street said about twenty thousand Acres he then said as he was in the service of Government he did not think it proper for him to hold those lands and wished Mr Street would sell them for him Mr Street answered that he & Col Butler had more lands themselves than they could dispose of, he then found out the only money that had been paid was his & Powell's £300—for which they have nothing to shew that they have any share or right to any part of the before mentioned Lands, or has he concerned himself about them since.

The Senecas Onandagas, & Cayugas have lately given one Allen[1] a Township on the Genesee River for his Two Children he had by an Indian Woman, for which he was to give the Indians Sixty Bushels of Indian Corn annually the Deed was left with Col Butler until Allen complied with his Agreement

D.

Endorsed— 16 b

In Lord Dorchester's
to Mr Grenville No 56

(Q 46-2, pp 479-90)

From Ralfe Clench to Sir John Johnson

Nassau, 28th August 1790

Sir,

Permit me to offer for your perusal a few minutes I have taken since the purchase made by some Americans of part of the Six Nation's Country being informed by Doctor Kerr that you are desirous of gaining every information you can relative thereto, as an officer and Inhabitant of this District, I think it a duty incumbent to make mention of every circumstance that has fallen within my knowledge

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[1] Ebenezer Allen.

1stly Some time in June or July 1788 I accidentally met with a Copy of a Letter from Samuel Street Esqr (of Nassau) to the Principals of the Land Company acknowledging the receipt of their Letters by Major Scott, Mr Shaw and Capt Bartell thanking them for admitting him amongst the number of intended Proprietors and as a Proprietor gives his advice, which was that it would be well worth while to take in with them as proprietors some people of this settlement such as he could point out and even to allow some of them a share gratis who from their influence with the Indians would be able to make the purchase with more ease and not that only but would from being amongst them in time be able to prevail upon them to move over to those Lands granted them by Government at the Grand River by which means a purchase of the rest would be the more easily effected

This is as nearly the purport of the letter as I can recollect having a few days after I met with it sent it by Doctor Wright to Lieut Col Hunter then our Commandant

2ndly Augustus Jones (Acting Surveyor) was at Buffaloe Creek the time of the Treaty, who mentioned that he heard Col Butler say that the Dish was now offered them (the Indians) if they did not feed themselves it was their own faults that they before called upon him to witness their Bargains if they did not now determine he shou'd not attend again, as they had so often made a fool of him that he heard William Johnson (now Interpreter) tell Col Butler, that they shou'd be cautious how they acted as he believed there were people there as Spies upon their Actions after they compleated their Purchase Captain Powell told him the reason they gave so high a price for the Tract they had purchased was in order to get a settlement afterwards he was in expectation the remainder of the Country wou'd fall at a lower price and further mentions that (Street) at different times wanted him to go out to survey the Lands they had purchased and that Col Butler afterwards asked him if Street had spoke to him about going out (who mentioned he had) and if he intended it or not when he told him (Butler) that he did not who again made answer that it was nothing to him, only as a Negroe man of Mr Barton's was at his house and he thought if he did go he might take him as a hand with him

3rdly Mr Sheehan Acting Secretary and Nephew to Col Butler mentioned (the time I cannot exactly remember) that Colonel Butler had a Pre-emption right from Phelps and Goreham who had purchased from Congress, with the Right of Pre-emption, and that the Country adjoining to Niagara wou'd be his (Butler's) as no other persons purchase wou'd be valid

4thly Some time in June 1790 was informed by Timothy Murphy one of those people who had a share in the purchase, that Colonel Butler had a very large share

5thly Was informed by Major Tice that some of Colonel Butler's relations in the United States held his (Butler's) obligation for a considerable sum of Money which he paid by Transferring part of these Lands purchased from the Six Nations

6thly Being to William Johnson's 16th August 1790 I mentioned the circumstances of finding the letter first mentioned who told me how him and Captain Powel came to be admitted as Proprietors was thro' Street asking them what Sum of hard Money they had, if any they had best put it in and take a share accordingly they advanced £300 N York Currency, at the same time mentioned that he was going from the place the Treaty was held to his Trading house and was followed by Samuel Street, who asked him if he did not wish to have a share of the Lands they had purchased he replied he could not give an answer until he had seen Colonel Butler which was soon after, and he then mentioned to him Street's proposal and his advice was by all means to take a share if he could get it cheap, as he meant to take a share for himself and friends in the United States

Previous to this Mr Johnston told me that Mr Phelps gave him to understand that he would give him a share in case he would not endeavour to prevent the purchase taking place

If any part of the above proves worthy your Notice, I can at any time if called upon with safety declare as to the Truth of my assertions and produce the people mentioned who, I dare say, must corroborate the same

I am &c

RALFE CLENCH

D

Sir John Johnson, Bart

Navy Hall

Endorsed— 16c

In Lord Dorchester's to Mr Grenville
No 56

(Q 46-2, pp 491-5)

FROM JOSEPH BRANT TO SIR JOHN JOHNSON

Nassau 28th August 1790

Sir,

Having reason to suppose that Government wishes to get Information respecting the late purchase of the Six Nation Country and the proprietors, as I am one of these people called the Six Nations wish to give you every Information in my power, as the proceedings were in my opinion not considered with either Honor or Justice from my knowledge of the weakness of numbers of us who think whatever our Agent recommends ought to be complied with—And as our Agent Col Butler and some half pay officers adherents of his interested in the purchase inclined towards the American Commissioners at the Treaty where the purchase was made as an Indian I am highly of opinion that if matters are fully explained it will be made appear, that those from whom the purchase was made were swayed by those White men in power in our Department The Agent being the person placed over us by Government is the man we look up to for Advice when in critical situations, and I should think wou'd lay private Interest aside, the Interests of Numbers and those of the people for whom he receives his Salary are at the same time interested however I am sorry to think it has not been the case

Col Butler our Agent mentioned to me that Mr Phelps who is at the head of the Land jobbing Company had been at this place and he believed meant to deal fairly and was duly authorized to make the purchase and told him that if his (Phelps's) Intention was really Just, he had no doubt but that I could assist him—and at the Treaty frequently said that the Depth of Twenty or Thirty Miles would be as much as we would wish to reserve and if we did not now sell, that Phelps wou'd go and join with Livingston & Co by which we would lose our Country by force I shall at any time if called upon be ready to explain matters fully, till when

I have the honor to be &c

Jos Brant

Sir

John Johnson, Bart D

Endorsed—16d

In Lord Dorchester's to
Mr Grenville No 56

(Q 46-2, pp 496-7)

Complaint by Seneca Chiefs

Substance of a private complaint made yesterday by the Chiefs of the Seneca Nation and intended to be repeated by them in public Council this day

That some short time ago they (the Seneca Chiefs) gave a small Tract of Land to (Ebenezer) Allen, in trust for his Children by a Woman of their Nation who lives with him, but on condition that he should not alienate the same nor appropriate any part of it to any other purpose than for the maintenance of the said Children That previous to their making this grant they consulted with Coll Butler on the propriety of it and asked his Advice and that his opinion was that he saw nothing improper in their giving him this mark of their favor as he had been a zealous and deserving subject of the King's and suffered in his property by the Indians

That lately they made a visit to (Ebenezer) Allen on hearing that he was disposing of a great part of the Land and that on their arrival they found that the report was not only true but that he was making farther encroachments on their Land and disposing of the same in Lotts

That on their expostulating with him on this conduct his only answer was that he cared very little for their complaints as Coll Butler was equally interested with him in this Tract

The Chiefs further say that they asked advice from Mr William Johnston and Timothy Murphy (both employed in the Indian Department) on this subject, and that their opinion coincided with Col Butler's so far as to say that they (the Indians) had better give this Land to their own flesh and Blood than to the Americans

Mr Wm Johnston the Informant further adds that Allen came to Niagara some time after this conversation happen'd but previous to the Deed being signed and that he then agreed to give the Informant and Timothy Murphy one hundred Pounds each, for their good offices with the Indians on his behalf, and for the performance of which the said Allen gave the Informant & Murphy each a note of Hand for one hundred pounds which notes are now in their possession

D

Endorsed—16 f

In Lord Dorchesters to
Mr Grenville No 56

(Q 46-2, pp 500-01)

STATEMENT BY AUGUSTUS JONES

Nassau 30th August, 1790

SIR,

Some time in the month of May, 1788 being at Buffaloe Creek at a Council held with the Indians and Americans in order to make a purchase of part of their Country Mr William Johnston came up to Lieut Col Butler and told him they must be on their guard what they did say as there was a certain person then present who had come as a Spy and had no other Business but to hear and get what information he could A short time after that the same evening Col Butler said that this was the second or third time that the Indians had asked him to their Councils, in order to be a Witness to the sale of their Lands and that some of them were against it and had still put it off but he had told them at that time that the Spoon and dish were offered them and if they did not accept of it and feed themselves that he would not attend any of their calls after that time—Some time in the Fall 1788 I met Col Butler in the Lane near the Ferry house opposite Niagara when he asked me if I had been spoke to by Mr Street to go upon a survey at or near the Genesee River, I told him that I had but that I was in employ here by Mr Frey and that I thought it would hurt my Interest by it, he told me it was nothing to him only that Mr. Barton had left a Negroe with him and desired him to send him along as a hand and if I went he would be glad to know a few days after this I saw Mr. Street who asked again whether I would go on a survey for him he said that they wanted me to go and begin at the Mouth of the Genesee River, and take the course of it and lay it out in Townships beginning at the Mouth of said River—I told him as before (to Col Butler) and he said that he had mentioned it to Lieut Col Hunter, and he said that I might use my pleasure—This is nearly as I can recollect what passed

I am &c

AUGUSTUS JONES

Endorsed—16 e

In Lord Dorchester s to
Mr Grenville No 56

(Q 46-2 pp 498-9)

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Nassau, 30th August, 1790

I have good reason to believe that much to my Prejudice has been reported to His Excellency Lord Dorchester, but what it may be I have not as yet been able to learn I must own I feel myself much hurt that anything of that nature surmised by his Lordship without giving me an opportunity of exculpating myself. Some time ago you wrote me, and referred me to his Lordship, who would answer my Letter but as yet have not had the Honor of receiving it

From some hints that have been given me, I am inclined to believe that I have been blamed on account of the sales of the Six Nation Country to the Americans I must beg leave by anticipation to disprove anything that may have been said on that subject, and am happy I can now call upon you as a Voucher for the greatest part of what I know of the transactions

In July of the year 1784 at the Black rock the Governor of New York invited the Six Nation Indians (then in Council) to a Council at Fort Stanwix, in order, as he said to settle their matters to their mutual Interest

The Chiefs of the different nations being met sent for me and advised with me on the propriety of attending the meeting proposed my advice to them was, that I thought they should attend in order to make peace with them and thought it was their Interest to appoint such Chiefs as were thought most proper to settle their Matters, otherways, they might be imposed on by the Americans—I named five who I thought the most Intelligent, as well as being most attached to our Interest viz *Captain Joseph Brant, Captain Abel* the *Spruce carrier, Schehoas Schevonada,* or through the river *Ondago* the Fishcarrier Nevi Coyaja—The Indians appearing very uneasy they told me that the King their Father had ceded the whole of their Country to the Americans and had not named them I told them that at this meeting they would be made acquainted if that was the case, and whether the Americans would demand their Country—If the Americans should propose making a purchase of it it would convince the Indians that the right of soil was understood to belong to them (the Indians) and of course a right to sell or not as they thought proper A few days after this meeting, I left on my way to England The whole of the above you was Acquainted with at the time This is all I recollect relative to Lands that passed to my leaving this

In May 1786 I returned from England to Quebec, Lieut Governor Hope then shewed me the proceedings of some Councils that had been held and said that another was soon to take place that the Indians had then sold great part of their Lands, and that the Americans was gaining over the Indians to their Interest, very fast and mentioned some things else to that purport, which at present, I do not recollect, after which I believe he sent for you to Quebec, but what passed between you and the Governor your recollection may not now assist you in

Governor Hope informed me I was immediately to proceed to Niagara, and that the Superintendant would give me the necessary orders, but on my arrival at Montreal you said you thought it unnecessary except I myself choosed it I mentioned this to the Governor, and received an answer thinking it was very necessary for me to go to Niagara and that he should not think me neglectfull. I shewed you his letter and said that I intended setting off next day I arrived here in the month of August 1786, when I found a meeting had taken place at Canadasaga I set off immediately for Buffaloe Creek, and overtook Captain Brant at Fort Erie on his way to Detroit I then made every enquiry to find out the purport of the meeting and was told that the Americans had called a Council that they had sent some Chief Warriors to Cover up the Fire till another time which they supposed was done A few days after some Accounts were brought, that their whole Country was sold to the Americans, by some of their young people without the consent of the Chiefs—This intelligence gave great uneasiness to the Indians at Buffaloe Creek &c. I endeavoured to make the Indians as easy as possible untill the Chief Warriors that they had sent to Cover up the Fire returned For the space of fourteen days after my arrival I heard nothing of their return when I was shewn some papers signed by four or five proprietors that the Six Nation Indians had leased the whole of their Country to Mr Livingston and his Associates—for nine hundred and ninety nine years paying an Annual Rent of one thousand Dollars—when some of the Indians returned they brought Mr Livingston and his Associates' Note and Copy of the Lease and some other papers which I then sent to you together with every information that came to my knowledge—I then advised them not to allow any surveys to be made nor any person to settle any part of their Country but to Acquaint their Governor of the Advantage that had been taken which I believe they did, and received a letter and advertisement from the Governor advising them not to let the Lessees survey or settle, but that every justice should be done them—Those papers I also sent you at the time—Mr Livingston had in this Lease included the Lands ceded to the Massachusetts state who had agreed with Messrs Phillips[1] & Gorham for the same On Mr Phillips his Arrival at Canadasaga he found the Indians disputed the sale—after which with some more Gentlemen he came to Niagara—I waited on Lieut Col Hunter & told him their business—After a Consultation between him and I we were of opinion by the Indians selling part of their Country to Messrs Phillips and Gorham, it might be the means of getting the Lease Invalidated We accordingly told them if their Intentions were fair, they ought to call a Council at Buffaloe Creek, and when the Indian Council fire was kindled in the presence of the whole six Nation Indians to make their Proposals, & if agreed to would be looked upon as binding from the Indians but that any transactions at any of their present meetings with a few young men would never be esteemed fair or binding nor would they ever allow a settlement to take place in their country by any such clandestine purchase—This being told Mr Phelps he called a Council at their fire The Chiefs previous to the Council came to Col Hunter and myself for our advice and desired we would attend their Intended Council Colonel Hunter declined but said I should attend I then asked that two or three of the officers of the Garrison should accompany me and be present at the meeting to represent him He agreed to this and then ordered Lieuts Douglas & Vassall of the 65th Regt to accompany me who were present during the whole treaty at which time the Lease taken by Livingston was made void and a new one taken for that part of the Indian Country that lay within the state of New York and that on condition they should obtain the Preemption right from the state otherways to be void

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[1] Phelps

Mr Phillips got a Deed for all the Lands East of the Genesea River as far as claimed by the Massachusetts state, and that on West of said River was released to the six Nation Indians free of all claims or Pretentions whatever—After the Deeds were fully explained to the whole of the six Nations by Captain Brant several times and the Consideration money agreed upon, they signed the Deeds in presence of four officers and twenty or thirty other persons and appeared to be fully satisfied except that they had forgot to reserve a Tract of land left to *me* by *Serahowana* a Senekea Chief who died during the time I was in England, but on its being mentioned to Mr Phelps he agreed to give me Twenty thousand Acres in lieu of It and if that was not sufficient I might have another share paying proportion of the first cost I then told him I wanted no more than would accomodate some friends I had in the state of Connecticut and desired him to give them Deeds for Twenty thousand Acres, which he promised to do and has since granted them part with his obligation for the remainder at that time, He the said Mr Phelps then made an offer to a number of British subjects then there of becoming Proprietors paying proportion of the first Cost which was excepted of by Mr Street and sundry other persons but nothing was agreed upon by me or any other Subject untill Lieut Colonel Hunter's opinion was asked who said he could see no Impropriety in it—but added that the sooner we got rid of it the better—The whole of the above was done after Mr Phelps had obtained his Deeds—Thus Circumstantially have I narrated facts and given you an account of everything I know of all these transactions and had time permitted at present should have still given you more Corroborating evidence by the Affidavits of different people acquainted with every circumstance, I have advanced, and who can prove far from advising the Indians to dispose of their Lands was not made acquainted with the Sales for a day or two after it was made

As you have promised to transmit this to his Lordship I could wish to anticipate every Charge that could be brought against me Among other things which I have heard suggested since your arrival here and what I understand has come to his Lordship's ears I must beg leave to answer to Vizt an opinion or report that has got abroad of my intention of leaving this Country and alienating myself from the Interest of Government, at such an Idea I spurn with indignation and contradict any such assertion most flatly, who could harbour such a thought after a moments reflection?!! From my youth to this time my services have been employed and I trust not unacceptably in the Interest of the British Government, a Government whose Mildness & benignity I have often experienced—at my advanced age and to this settlement whose Interest and Welfare I have had much at heart, little did I imagine that the shafts of Calumny should have been pointed at me and misrepresented matters so egregiously to His Lordship—In the full assurance of the probity of my intention, I remain &c

John Butler

To Sir John Johnson Superintendt & Inspector Genl of Indian Affairs

Endorsed—16 g

In Lord Dorchesters
to Mr Grenville, No 56

(Q 46-2, pp 502-511)

Sir John Johnson visited Detroit and Mackinac and presided at three meetings of the Land Board for the District of Hesse. On his return to Lower Canada he prepared the following report in which he contented himself with enclosing the statements he had obtained respecting the purchase of Indian lands together with Colonel Butler's defence, and asserted that the Indians were never in better humor

From Sir John Johnson to Lord Dorchester

La Chine 13 Septemr, 1790

My Lord,

Having had the honor to acquaint your Lordship of my departure from hence on the 25th of June in obedience to your commands, I now have the satisfaction to inform your Lordship of my return to this place after having visited the western posts as directed by your letter of instructions of the 17th of June, and I have the honor to report to your Lordship that, led by inclination as well as by duty I lost no time in proceeding to the western settlements and posts, and endeavouring there to forward the benevolent intentions of the King's Government by inquiring into and using my utmost exertions to remove all causes of dissatisfaction and uneasiness among the settlers as well as among the Indians, and I hope not without effect

I made every inquiry as directed by the first Article of your Lordship's letter of Instructions into the general conduct of the officers of the Indian Department at the posts of Niagara Detroit, and Michilimackinac and find though great complaints are made by the Indians dependant on the first mentioned post of the want of almost every necessary annually sent for their use as well as of provisions, the expenditure of which Article for the last eighteen months, far exceeds that of the other posts no specific charge alledged against the Deputy Agent or those Acting under his direction yet I feel a concern to be under the necessity of adding that though Mr Sheehan was put on the establishment of that Post, with a view to assist the Deputy Agent as a Clerk (though under a different denomination) no part of the established orders and Instructions have been complied with, but those relating to the quarterly returns for pay & incidental expences notwithstanding my repeated directions on those subjects as well as forms sent from time to time for their further guidance, I hope in future they will be more attentive having explained every doubtfull matter in such a manner as I hope will prevent all mistakes for the time to come

I am happy to have it in my power to say that I found great attention paid to every part of the Instructions and orders of the posts of Detroit and Michilimackinac, very regular Books of the Receipts and Issues being kept with the signature of the Commanding officers at the foot of every issue notwithstanding which I am sorry to say that in other respects Mr Gauthier's conduct has been represented to me by Captain Parr to be such as renders him unfit to be longer continued in his present employ

From the present situation of affairs in the neighbourhood of Detroit, and the Multiplicity of business, Mr McKee consequently has to transact I found it necessary for the good of the King's service to employ Captain Elliot who is well acquainted with the Shawanese & Delaware language to assist him in watching and procuring intelligence of the designs and proceedings of the Spaniards and all others who may be treating with the Indians and otherwise acting against the interest of Government, and I also found myself under the necessity of agreeing to his returning a storekeeper or Clerk on his quarterly return a person who he has hitherto employed and paid out of his own purse this I hope will meet with your Lordship's approbation, as nothing but a conviction of the necessity of it at this time would have induced me to comply with his request

I am happy to have it in my power to say that, in consequence of the means I took to discover the true temper and disposition of the Indians as directed by the second Article of your Lordship's letter of Instructions, I found notwithstanding the complaints and uneasiness that may have been represented to have prevailed among the Indians they never were better disposed nor more gratefull for the many favours they have received, and I sincerely believe if this Country should be so unfortunate as to stand in need of their aid, they would most cheerfully afford us every assistance in their power, the Reports of Hostile designs against the Posts of Oswego and Niagara, I have every reason to think were nothing more than the vaunting of an ignorant interested Dutch trader, who I have long had a personal knowledge of, and am sure he would be among the last to be trusted with a secret design of importance

I made every inquiry into the supposed irregularities said to have been committed by the Indians near Detroit by assembling all the Inhabitants interested at the mouth of the river, or Huron Village where I had assembled the Indians for that and other purposes and found that as in other Districts some Cattle and Hogs had from time to time been destroyed through hunger and drunkenness part of which they had promised to pay for and some of their effects were brought in with themselves in my presence and retained until they should perform their promise The inhabitants declared to me in the presence of a number of Gentlemen that they were not under the least apprehension of anything further than the loss of some of their Stock now and then when hunger and liquor impelled them to it—the inclosed copy of a conference with the Indians on the subject will shew your Lordship their own sentiments and resolutions on the occasion

I lost no time in commencing the necessary Inquiry pointed out by the third Article of your Lordship's letter of Instructions and beg leave to refer your Lordship for the result thereof to the inclosed papers of information Number one to five and to Lieut Col Butler's letter on the same subject of which I gave him full information.

From all the information I was able to collect, I cannot find that the settlements forming by the American States in the Six Nation Country, and which have reached the Genesea River, the Western boundary of their purchase, increased in the rapid manner that was at first imagined they would, nor do their numbers exceed what was at first reported, one thousand families—their intention is to raise stock and Corn for the lower markets or for the West Indies Should any rupture happen between Great Britain and the States, they will be able to afford both men and provision for an attack on the post or settlement of Niagara, at the distance of about Ninety miles, either by land or water.

Not hearing of any ill founded Claims in the lower districts and the Land Board of Hesse having received instructions to make the inquiries directed by the fourth Article of your Lordship's letters of Instructions to me of the 17th June, and they having proceeded in the business I must beg leave to refer your Lordship to their report.

From the disposition of the Indians I have reason to think they will not be led into any partial projects that might prove injurious to the public peace and tranquility, or in any wise injure the prosperity of the settlements.

In obedience to the fifth Article of your Lordship's Instructions I offered my aid to the different land Boards in the Western Districts, and was happy to find that those of Luneburg and Mecklenburg had nothing that required any assistance on my part nor Could I learn that they had met with any impediments that required the interposition of Government—some difficulties and disputes of a trifling nature subsisted in the other districts which I endeavoured to assist in removing, and hope not without effect.

I believe little remains to ease the minds of the settlers who have obtained locations under the Authority of the Boards or otherwise but the Issuing of their Grants or Deeds, which they all look for with impatience.

The sixth Article being accomplished by the Purchase made by Mr. McKee, the Deed of which I found on my return to Montreal with the letters from Mr. McKee now inclosed herewith, rendered anything further on that head unnecessary, except an inquiry into the Boundary of the reserve made by the Indians of the Tract before granted to the Crown, and which the land Board of Hesse have reported their opinion upon to your Lordship—the copy of the proceedings of the meeting I had with the Indians on that subject will fully explain their sentiments on that head.

I mentioned to Mr. Powell[1] my intention of making the inquiry, and expressed a wish that the person might be present who informed him that the Chief Agouchaway had declared that he never mentioned or agreed to the reserve specified in the Deed of Sale, but had been led drunk and sick with sower Red wine to the place to mark the Boundaries that are now to be seen, and are expressed in the Deed, and though I think Mr. Powell told me the man should attend, and I was afterwards informed that Mr. Powell meant to attend also, neither appeared, though my stay at the Village was longer than I at first imagined it would be—before I left the Village Mr. McNiff[2] delivered me the Boundaries of the reserve which I had directed him to ascertain agreeable to your Lordship's directions

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[1] Justice W. D. Powell.

[2] Patrick McNiff, deputy surveyor.

Since my return to Montreal I received a letter from Mr Motz of the 5th of July with further Instructions relative to the purchase of those lands

On my arrival at Detroit the land Board acquainted me that they had entered upon the Inquiries directed by the seventh Article of my instructions and would prepare a full report against my return from Mackina but on making further inquiry on my return I was told that they had forgot that they had transmitted the report to Head Quarters before my arrival this made any further inquiry on my part into the subject unnecessary

In obedience to the eighth Article of my Instructions I have left such directions and forms for the guidance of the officers of the Indian Department at the several posts as I hope will prove usefull and prevent any errors in future

The want of a regular and full survey of the Crown Lands has hitherto I apprehend greatly retarded the settlement of the Country, too few surveyors have been employed and some of them ill qualified for the business particularly in the Upper Districts by which means many Inhabitants who came in, have been obliged either to abandon the Country, after having expended the little property they brought with them or to settle on the lands of other claiming under doubtfull Titles at best, and great numbers have been prevented from coming in who had determined and prepared themselves for it—Nothing but a failure in their expectations of a well established form of Government and the imposition of heavy Taxes together with great encouragement on the part of our Government could now in my opinion recall even those who were at first from principle, led to take refuge under the King's Government an immediate complete survey of the lands lately purchased, with the encouragement of one or two years' allowance of provision till they could repay it, might prove an inducement to some to return, and to others to come in

The want of proper Surveys throughout the District have retarded the progress of settlement and will be the cause of much future litigation, which might in a great measure be yet remedied by employing well qualified surveyors to compleat the surveys of all the Townships agreeable to the King's Instructions

An addition of some Members to the land Boards of Hesse and Nassau would prove beneficial and give great satisfaction as the Inhabitants from some cause or other entertain great jealousy of the prevailing majority in those Boards I would beg leave to suggest the propriety of adding the Engineer and the Surveyor of

[1]Justice W D Powell [2]Patrick McNiff deputy surveyor

the Districts, if such there be and two or three principal Inhabitants, Mr. McComb and Mr. Leith of Detroit might perhaps be proper persons for Hesse and Major Tice, Mr. Birch Mr. Warren, Doctor Kerr and Mr. John McNabb for Nassau—time will not permit me to add more at present

I am &c

JOHN JOHNSON.

His Excellency
The Right Honble
Lord Dorchester

(Q 46-2, pp. 458-69.)

Lord Dorchester's subsequent letter to Mr. Grenville in which he forwarded all these papers, indicates that he was far from being satisfied with the management of Indian affairs although disposed to excuse the Superintendent General from particular responsibility for the misconduct of some of his subordinate officers

FROM LORD DORCHESTER TO W. W. GRENVILLE

No 56 Quebec, 17th October, 1790.

Sir,

On my first Acquaintance with the Indian Department in seventy five I could not but observe a certain assumed official independence and much mystery, throwing the expenditure and other transactions into the dark more than the King's service appeared to require. As the three or four officers, who managed this department, did little more than pass through the province, it was thereby broken up, and an Interpreter only, now Lieutenant Colonel Butler, assisted the Officer Commanding the Troops at Niagara; his good conduct on that occasion brought him into notice, and occasioned his preferment. None of those Gentlemen returned to Canada till seventy seven, and even then, if I remember right, only Lieutenant Claus, so that while in Canada, I had not experience sufficient of their proceedings to alter my first opinion of their system; but the public rumours of great abuses reached me at home, and the transactions at Niagara and Michilimackinac were too notorious to leave a doubt with me of the necessity of reducing their expenditure of cash, and what is not less essential, their expenditure of stores and Indian presents, under the checks necessary for preventing all ill grounded suspicions and complaints, or at least of bringing their irregularities into public notice. For this purpose all their expenditures are to be examined by a Board of Accounts, where the Comptroller objects to whatever is not duly authorized and vouched agreeable to the instructions, recommending all equitable allowances

Hitherto these Instructions have not had their full effect, whether from the gentlemen's not being Masters of regular Accounts, or from the difficulty of changing old habits, 'tis certain, that from those two posts more particularly, the Accounts have not received approbation

Sir John Johnson seems to apprehend, that in this business something personal is glanced at him seeing that the enormous abuses, committed before his appointment passed without such observations I suppose he alludes more particularly to a bill drawn from Niagara in April 1781 for Thirty five thousand seven hundred and eighty pounds of which, upon ample proof, that goods to that Amount had not ben expended a sum of fifteen thousand seventeen pounds both New York Currency, was by the Court of Common Pleas in April 1782 decreed to be refunded, which sentence having been confirmed in the Provincial Court of Appeals the cause was by a further appeal carried home and there seems to rest

I am persuaded no one means more honestly than Sir John Johnson, he originally declined the Office as very disagreeable to him and was induced to accept of it from necessity, after he was driven from all his estates—He sensibly feels and suffers from any failure of those under his command, and I think the present inclosures, a schedule of which is subjoined, are sufficient to show the great difficulty of reducing the Indian Department to method and a proper controul

I am &c.

DORCHESTER

The Right Honble
W W Grenville

(Q 46-2, pp 387-90)

Like Colonel Butler, Joseph Brant desired to encourage the emigration of the remainder of the Six Nations from the United States into the British territory The advance of a considerable military force in the direction of Detroit from the Ohio river had so seriously alarmed the western confederacy of Indians that they sent messages soliciting the assistance of the Six Nations, which gave them great embarrassment in their exposed situation

From Joseph Brant to Sir John Johnson

Nassau, 8th November, 1790

Sir,

The death of my friend Captain David I dare say you have ere this heard of he has left a Wife and young family for the support of which, I hope Government will consider the Services of the Father, and be pleased to make the Widow some small allowance for her Children's maintenance, be assured many less deserving has been provided for by Government—I therefore as a friend and Brother to the deceased request your Interest in behalf of procuring something if Ever so little it will always be found beneficial in a large family and will be ever gratefully acknowledged

I cannot think of finishing my Letter without touching a little on Politics as I have ever spoken freely on matters in which the public was any ways interested, and have ever disapproved of its being recommended to the Six Nations to remain on the Lands they are now on and not to Cross to this side of the River in order to settle, the Evil of which may at present not appear but be assured that time will point out the Error, their being settled on Government lands was surely strengthening the British interest in this part of the Country—The Americans in order to Engage them have had tracts Surveyed on purpose for them to settle amongst them, which is in my opinion lessening the Safeguard that Niagara has always had if they had been settled on the Lands allotted us by Government this Settlement might have ever rested in Security having their frontier well Guarded, those things perhaps may never strike you in the same light with me, but whether or not, I have only taken the Liberty to give you this little of my opinion on the subject

From my disagreeable Situation at present when I know the Enemy are in the Country of our Allies would wish to have your opinion and advice by the Earliest opportunity, as I expect we will receive a Message from that Country and your advice I could wish for before I take any active part

I am &c

Sir John Johnson
Bart

Jos Brant
D

Endorsed—13

In Lord Dorchester's to
Lord Grenville No 79
of the 23d Jany 1791

(Q 90-1, pp 58-60)

The Land Board continued its meetings for granting certificates for the occupation of lands assigned to settlers in the three townships which had been completely surveyed, but had not yet received official names

Proceedings of Land Board

"Land Board, 22nd November, 1790

"Township No 1—

"The Board having met, ordered a report of their proceedings to be transmitted to the office of the Governor's Secretary with a schedule of locations in Township No 1, for his Lordship's information, after which they proceeded to grant certificates to such persons as attended for that purpose Referred to his Lordship two Petitions viz one from John McNabb Esquire stating his services during the late war, and praying an equal quantity of land as has been granted to disbanded subalterns; One from Augustus Jones, stating that he has acted as Deputy Surveyor in this District since 28th November, 1789 for which he has not received any compensation, also soliciting the appointment of Deputy Surveyor The Board taking the said petitions into consideration concurred in recommending the prayer of the petitioners to his Lordship as being in their opinion proper "

The request of the chiefs of the Mohawks for the survey of the boundaries of their reserve at length received attention

Proceedings of Land Board

"Land Board 20th December, 1790

"Present Lieutenant Colonel Butler, Robert Hamilton Esquire, Peter Ten Broeck, Esquire

"The Board having met, were of opinion that it is necessary for the Acting Surveyor to ascertain and report the boundaries of the Indian Lands extending Six Miles on each side of the Grand River and as this cannot be so easily effected as at this season, the Board submit the expediency of this service to Lieutenant Colonel Gordon for his approbation, and in case this service is directed provision for the Surveyor and four Chain Bearers will be requisite from the King's Stores as is directed and has always been done

"N B It had been customary for the Surveyor to receive a ration of provision "

Proceedings of Land Board

"Land Board held at the Landing for Township No 2, on the 3rd January, 1791

Present Lieutenant Colonel Butler, Peter Ten Broeck, Esquire, Robert Hamilton, Esquire

"Read a letter from Lieutenant Colonel Gordon signifying his approbation of the service for surveying the Grand River The Board in consequence ordered the Acting Surveyor to proceed on that business and ordered a speech to be prepared explaining to the Indians the intention of the said survey

"The Board then proceeded to grant certificates to such persons as attended

'Adjourned to the 16th instant"

Proceedings of Land Board

"Landing 16th January, 1791

"Present Lt Col Butler, R Hamilton, Esquire, P Ten Broeck Esquire

'The Board continued to grant certificates to such persons as attended

'Adjourned to meet in the Third Township

"Land Board Township No 3, 18th January, 1791

'Present Lieutenant Colonel Butler, Peter Ten Broeck, Esquire, Robert Hamilton, Esquire

"Finding few disputes in this Township the Board proceeded in granting certificates

"N B No Glebe reserved in this Township"

As the statements of prisoners taken by the Indians intimated that the force then advancing against them was intended if successful, to attack Detroit in the spring, Major John Smith, who commanded there, and his superior, Lieut Colonel Gordon who had relieved Lieut Colonel Harris at Niagara requested definite instructions how to act in such event Lord Dorchester was thus obliged to repeat his former orders in a slightly different form

From Lord Dorchester to Colonel Gordon and Major Smith

Quebec, 20th January, 1791

Sir,

The hostilities between the United States, and the western Indians are much to be lamented—Could I be instrumental in putting an end to these calamities it would give me great satisfaction

We are at peace with the United States and wish to remain so There is no power in this Country to begin a War

But should the assertions ascribed to some of the prisoners, lately taken by the Indians that the States mean to attack the Post of Detroit in the Spring, prove true I can only repeat that such a step must be considered as a commencement of hostilities on their part—And War must be repelled by War The King's benevolence and friendship towards the Indians is undoubted, it continues to be manifested by His bounty every year

All these principles have been fully made known to the Commandants of the Upper Posts and to the Officers of the Indian Department soon after my arrival in this Country, they have since been inculcated repeatedly, good sense must direct the application of them to the occurrences of the day, but they cannot be departed from, unless a different system should be enjoined from home, in consequence of the late events in the Indian Country, in which case the necessary orders will of course be issued

I am inclined to give the United States credit for too much good sense to begin a War with Great Britain but notwithstanding this, I cannot but repeat that common prudence requires a constant vigilance and readiness on our part to meet such an event, however improbable

I am &c

Lieut Col Gordon
&
Major Smith

DORCHESTER
D

Endorsed—15
In Lord Dorchester's to
Mr Grenville No 79
of the 23d Jany 1791

(Q 50-1, pp 66-7)

The difficulty that would have attended an attempt to conform with the winding course of the Grand River in settling the boundaries of the Indian reserve, was fortunately obviated by an agreement between the Land board and the principal chiefs of the Mohawks

PROCEEDINGS OF LAND BOARD

"Land Board, Niagara, 1st February, 1791

"Present Lieutenant Colonel Butler, Peter Ten Broeck, Esquire Robert Hamilton, Esquire

(See Letter received No 7)

"When a plan of the Grand River was laid before them and having called in Captain Joseph Brant, Tekarehokea, Shasowanea Ateweanookten, Oghnadongoghton Oghguarsoseta, Ojageghte Gonghsaneyonte, Kayendaderhon, Clucheless and several of the Principal Chiefs to aid the Land Board with their advice and Council it was unanimously agreed upon and determined That the bend of the river easterly, nearly two miles from its mouth or issue into Lake Erie and the Mohawk Village shall be the two fixed points and that a line drawn straight from one of these points to the other shall form the center line of the Indian Settlements or Lands on the Grand River and that two parallel lines to this six miles distant on each side of the river shall form the bounds between them and the Settlement of Nassau

Jos Brant
Ojageghte
Gonghsaneyonte
Atewanookte
Oghsata
Kayendaderhon
Signed on the Plan
J Butler
Peter Ten Broeck
R Hamilton

FROM JOHN COLLINS TO AUGUSTUS JONES

Surveyor General's Office,
Quebec, 22nd February, 1791

Sir,

I congratulate you on your appointment in our Department and herewith send you instructions for the business to be done in your District the ensuing season and to enable you to carry the same into execution I enclose you Mr Todd's Bill on Messrs Hamilton & Cartwright for fifty pounds currency I long since wrote to Mr Frey for a plan of your district on a scale of forty chains to an inch with the proprietor's name wrote on their several lots and I am now to request the same of you to be sent down as soon as possible I wish you health and am &c

JOHN COLLINS, *D S G*

Augustus Jones, Esquire

INSTRUCTIONS

Surveyor General's Office
Quebec 22d February, 1791

Sir,

You are hereby directed to engage ten chain bearers and axe men on the most reasonable terms they can be had, not exceeding one shilling and sixpence currency per day each man, with an allowance of one shilling and threepence per day to yourself and party for provisions, or a ration of provisions from the King's store in lieu thereof, at your and their option.

And immediately proceed with all diligence to survey and mark a town plot for a county town of the district to be called Lenox on the west side of Niagara River at such place and according to such plan and dimensions as the Land Board of the said District may direct in conformity to the general Rules and Regulations.

And likewise to survey and mark the front lines of a row of townships from the Eastern Boundary of the District of Toronto, and to carry the side lines of each township back one mile well marked, which townships are to be designated on the charts, the first adjoining the said Eastern Boundary by the name of Murray and the rest as they follow in proceeding Westerly in the order here mentioned Vizt. Cramahe, Haldimand, Hamilton, Hope, Clarke, Bristol, Norwich, Edinburgh, Glasgow and Dublin.

You are to commence and proceed in the execution of this work with all diligence, accuracy, and fidelity in conformity to the general Rules and Regulations in all instances not otherwise specially directed.

You are to keep journals and field books, inserting therein whatever is observable for its singularity and value towards public utility as waterfalls, minerals, quarries, the quality of the land, timber &c. &c., and likewise accounting for the time spent upon such service with such minuteness and certainty as will shew the work of each day, and enable you to answer questions upon oath in respect thereto, if the same shall be required, reporting all such journals and field books under your signature to this office after the completion of the work, together with the instructions thereof, both to me and the Land Board of the District in which you have been employed.

You are to pay a very strict attention to economy in the whole service and dismiss the hands as soon as they can be spared, And as the accounts will all be subject to audit, you'll take care to furnish the necessary documents in justification of every article of charge—observing nevertheless that it is not intended by any small savings to disappoint the useful ends for which these surveys are ordered but that a responsible discretion is exercised in the expenditure, both of the time and the means

You are to do no work in the nature of the subdivision of townships into lots except to such number and extents as the Land Board of the District shall from time to time in writing direct

You are to communicate these instructions to the Land Board of Nassau and a copy thereof is to accompany the accounts hereafter to be rendered to obtain payment for the services you shall have performed

Wishing you Health I am, &c

SAML HOLLAND SUR. GENL
JOHN COLLINS, D S G
MR AUGUSTUS JONES, D P S

(District of Nassau Letter Book No 5, pp 35-8)

PROCEEDINGS OF LAND BOARD

"Land Board held at Niagara, 22nd February, 1791

'Present Lt Col Gordon, Comm'g Upper Posts Lt Col Butler, R Hamilton, Esquire

'Received a petition from Peter Clow praying the Board to authorize an agreement made with John Lutes for the purchase of his farm Lot No 34 in the 2nd Township, also a petition from Joseph Robinson praying for leave to purchase from Thomas Martin Lot No   in the 2nd Township The Board being convinced of the propriety of these transfers, authorized them accordingly

'As no lands have hitherto been granted to the heirs or executors of those persons who died in his Majesty's service during the late war, it remained a question whether it is the intention of government to extend his Majesty's bounty to persons of the above description The justice of these claims are so apparent that the Board concurred in granting these lands and to request his Lordship's approbation of this measure

"The Board authorized Lt Col Butler to purchase from Robert Smith his farm on the 15 Mile Creek with all the lands himself and family may be entitled to

"Adjourned "

Captain John Powell, who is mentioned in the following letter, had been an officer in the Indian department, and had been assigned two thousand acres, distributed in farm lots in various parts of the township of Bertie, then known as the township of Fort Erie. Two of these lots fronted on the Niagara river nearly opposite the south end of Grand Island, where he had built a house

From Joseph Brant to Sir John Johnson

Extract of a letter from Captain Brant dated Grand River, 4th March, 1791

"I am informed that Capt Powel has been tampering with a set of Senecas, in order to bring some of the Americans on the opposite side of the River from his House to build Mills on Skeendioghquade's Creek, which will not be effected without opposition, as I think half pay officers as well as those in the Service ought rather to prevent, than introduce the Yankees under the nose of a British Settlement"

D

Sir John Johnson Bart

Endorsed—14

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

Samuel Street who had returned from a prolonged visit in the United States gave his version of his connection with Phelps in the purchase of Indian lands

From Samuel Street to Sir John Johnson

Extract of a Letter from Mr Samuel Street dated Grand River, 4th March, 1791

"As Agent for the following persons in this Settlement, viz‡ John Powell William Johnston, Timothy Murphy W Butler Sheehan and Street & Butler and some relations of mine in the States I purchased fifteen shares, or fifteen one hundred & twentieth parts of the Genesee purchase from Mr Phelps at the time he treated with the Indians at Buffaloe Creek for the Lands in July 1788 Sheehan & Murphy were included without their knowledge in order to assist them in extricating themselves from some heavy Debts with which they were Burthened as were several others who were rejected Colo Butler had two like shares allowed him said to be in consequence of some Lands promised him by *Theoquanda* which lay within the purchase one of which he gave to the Compa and the other to his Brothers Children in New England My intentions were and still are to sell off as soon as possible which I supposed might be done to much better Account than has yet appeared, for which purpose I authorized a Mr Barton to manage the Business who not succeeding to my Expectation has obliged me to take more of the Management on my own hands than I intended

"The unsettled state of my Affairs here prevented me from going into Business again till I have Collected and Discharged my Debts therefore I proposed attending to that Business this Summer in hopes of bringing it to a period Many have been the reports which have circulated to my disadvantage no doubt, and I have found no friend Candid enough to tell me particularly what they are, to give me an opportunity of clearing them up"

D

Sir John Johnson
Bart.

Endorsed—18

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1, pp 128-9)

Acting on instructions from the Governor Sir John Johnson had made a proposal for the surrender of a portion of the Indian lands at the mouth of the Grand River for the purpose of forming a continuous settlement along the shore of Lake Erie Assent to this was given so reluctantly that the project was dropped

FROM JOSEPH BRANT TO SIR JOHN JOHNSON

Extract of a letter from Capt Brant dated Grand River, 24th March 1791

"About the Lands at the Mouth of the Grand River you seem much to wish that we should spare you at least Six Miles up the River in order to have your new Settlement to be in one String along the Lake up the Sentiment of the Indians here on this head seems to be thought it rather hard that they should give it back after its given to them However they have agreed to give it up five Miles & a half up the River because Six Miles it would take in a Seneca settlement who we could not think to remove them as they are fond of their Place and half a mile cannot make any odds with you

"The Deed or Grant for the Lands here which you are going to give us we hope you will make the Deed or Grant near the same sort which General Haldimand first promised to us, we hope the

Council would not restrict us too much otherways we shall look upon it not much better than a Yankee deed or grant to their Indian friends '

D.

Endorsed—23

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1, pp 154-5)

Proceedings of Land Board

"Land Board, Niagara 4th April, 1791

"Present Lt Col Gordon, Comm'g Upper Posts Lt Col Butler, R Hamilton, Esquire

"The Acting Surveyor laid before the Board a survey of the Indian Lands on the Grand River from its mouth to about thirty Miles above the Mohawk Village he also laid before the Board two accounts of incidental expences incurred in the survey of the Grand River and in ascertaining where a North West line from the mouth of the Little Lake at the head of Lake Ontario would intersect the Grand River the Board taking these accounts into consideration approved the same and resolved to draw a bill on Government for the amount at their next meeting Adjourned to the 3d Township

Dr James Muirhead, who is mentioned below, married Deborah a daughter of Lieut Colonel John Butler He served in the war of 1812 as surgeon to the flank companies on active service, and was promoted to be Surgeon General of Militia in 1822 He was chairman of Quarter Sessions for the District of Niagara for many years and died at Niagara 24 March 1834 aged sixty nine He is buried in Butler's family graveyard

Proceedings of Land Board

"Land Board held in Township No 3, 7th April, 1791

"The Board proceeded to Grant Certificates to Such Persons as attended

"Received a Petition from James Muirhead late Surgeon's mate in the 60th Regt, stating his service as mate and inclination of becoming a settler and praying such additional quantity to the usual allowance of lands as the Board should think proper The Board taking the said petition into consideration, agreed to grant a Subaltern's allowance, viz., two thousand acres. Adjourned to the 11th instant.

The council described in the following report was called to debate on the mission of Colonel Thomas Proctor, who had been sent overland from Philadelphia by President Washington, to invite the western Indians to attend a meeting at Fort Washington (now Cincinnati). The French gentlemen, who accompanied him, was Captain H. G. Houdin. Horatio Jones acted as their interpreter and his account of their proceedings is printed in Volume VI. of the Publications of the Buffalo Historical Society, pp. 488-92.

From John Butler to Sir John Johnson

Niagara, 14th April, 1791

In consequence of a Message with a Belt from the Chiefs of Buffaloe Creek requesting myself and the other persons of the Indian Department to attend at a Council to be held at that place, stating that some persons in authority from the United States was to be there and that they wished me to hear what he had to say. The Commanding Officer thinking it proper for me to comply with their request I left this place on the 14th Inst and proceeded to Fort Erie, the 15th I dispatched Mr. Johnston, Interpreter across the River to Buffaloe Creek, to know if the Chiefs were prepared for the Council, but finding they were not ready, I did not think it requisite to cross the River until they could Assemble. I remained at Fort Erie the 16th. The 17th I went to Buffaloe Creek Accompanied by Captain Borrough, Commanding Fort Erie, when a few of the chiefs met me and told me that they could not be ready in less than two days as their people were a great deal scattered.

On the 19th we met in Council when I addressed them as follows

Brothers

Agreeable to Your request I am now come to meet You and am ready to attend to what you have to say. I now return You the Belt of invitation

The Farmers Brother the principal Seneca Chief Speaker

Brothers

We return Lieut. Colonel Gordon and Yourself our sincere thanks for Your readiness in complying with our request and your attendance at this place. We are also happy that Capt. Brant was at Niagara when you received our Message and you took him by the hand and brought him with you

The usual ceremony of condolence was then performed

Brothers

At the time when we sent you a Message requesting you to meet us in this Council we received word from O'Bale that a great man from the Governor of New York accompanied by a French Gentleman would be here in the space of three days time upon business of importance with us and as we wished to do no Business without the knowledge of the King our Father, we sent for you to be present in order to hear what they might have to say we are sorry for the disappointment as they are not come agreeable to the word we received

Colonel Butler then asked them if they had any knowledge of the business that this great man was coming upon? To which the speaker replied they had heard a little about it

They understood that part of his business was to inform them that the Americans and the Western Nations are now at War, and that he wished to consult with the Six Nations on this Affair and to take them by the hand and hoped they would accompany him to the westward in order to make a peace with those Indians and the United States

Lieut Colonel Butler informed them that it was not in his power to wait the arrival of this American the time of which appeared uncertain but hoped when he did arrive and the chiefs knew the business he was come upon, that they would without loss of time dispatch two or three of their principal chiefs to inform him of it, to which they immediately assented

The Cow Killer a principal Seneca chief then produced the annex'd Speeches from Timothy Pickering Commissioner in behalf of the United States which they received last fall at Tioga and requested they might be publicly read

Captain Brant then addressed them as follows

Brothers

As we the Six Nations have received many invitations from our Brethren to the Westward the Chiefs of the Grand River give their Advice and opinion that it is necessary for some of us to go to see them as Visitors and to know what they are about, I recommend this matter to you, and propose going myself as one

Farmers Brother speaker

Brother

As the day is far spent and we have something further to say we propose deferring it till to morrow morning when we will meet you again in Council

20th The Council having met the Fish Carrier spoke as follows, addressing himself to Captain Brant
Brothers

We highly approve of your advice respecting a visit to our Western Brethren I speak in behalf of three Nations vizt the Cayugas, Tuscaroras and Teddioghronies

The Chiefs of the Senecas and Onandagoes then approved of Capt Brant's Proposal in the same manner

They then appointed the Grandson of the late Syengaraghta[1] to the place of that Chief after which the Council broke up

(Q 50-1, pp 167-71)

On the approach of spring Lord Dorchester considered it necessary to warn both Colonel Gordon and Sir John Johnson to be prepared to meet and repel an attack

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From Lord Dorchester to Colonel Gordon

Quebec 14th April, 1791

Sir,

Notwithstanding some late pacific appearance it is not improbable that armed parties may again make their appearance in the Indian Country, and perhaps in the vicinity of some of the King's posts

Common prudence therefore requires we should be on our guard, and prepared to meet all events

'Tis not enough that the posts under your command be in a thorough state of defence, you must be prepared to march forward should the turn of affairs render this absolutely necessary To carry his operation into effect with proper importance a part of the Garrison of each of the Posts of Niagara and Detroit with a considerable draft from the Militia and some field pieces should be in readiness to move upon a short notice

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[1] Frequently called the Old King of the Senecas

You will be pleased to inform me with what force you think you may march forward from Niagara, and with what force from Detroit should it be so ordered and what you may still want for this purpose

The Gunboats and King's Vessels should likewise be ready for service at a short notice

I am &ca

DORCHESTER

Colonel Gordon D

Endorsed—25

In Lord Dorchester's to
Lord Grenville No 84,
of the 14 June 1791

(Q 50-1, pp 158-9.)

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec 14th April 1791

Sir

Notwithstanding the late pacific appearance it is fit that we should not Sleep while our Neighbours are in Arms

The inclosed copy of my orders to the Commanding Officer of the Upper Posts will shew you my opinion of what ought to be done in the Upper Country

I wish you to assist Colonel Gordon with your sentiments and observations on this business

I am &ca

DORCHESTER

Sir John Johnson D
Bart

Endorsed—26

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1, p 160.)

These instructions were supplemented by letter to Gordon from the Military Secretary, directing him to discourage the immigration of the Six Nations and prevent the settlement of white people on the right bank of the Niagara

FROM FRANCIS LE MAISTRE TO COLONEL GORDON

Quebec, 14th April, 1791

SIR,

Your letter of the 28th February last covering among other papers, substance of the speech delivered by the deputation of the Tuscarora Indians, with your reply thereto has been placed before Lord Dorchester, and it is in obedience to His Lordship's commands I informed you that whatever influence may have been used to tempt those people to dispose of their lands, or encouragements held out to them to remove from their own Country to Grand River, was done without the knowledge or approbation of Government

Such conduct excites and still keeps up a suspicion the Indians have been unfairly treated and that some who should have opposed those practices turned their influence another way, and were busy in bringing that poor people to consent to their own detriment and this for interested reasons

The whole of this transaction having been transmitted home, His Lordship cannot proceed therein till he knows in what light it has been seen by the King's Ministers

His Excellency approves much of the reply you made them, and it is His wish they should upon all occasions be treated with every mark of friendship and benevolent attention

I have the honor to be &c

FRAS LE MAISTRE

M S
D

Colonel Gordon
Commanding the
Upper Posts at Niagara.

Endorsed—13

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1 pp 121-2)

FROM FRANCIS LE MAISTRE TO COLONEL GORDON

Quebec, 14th April, 1791.

SIR

The Copy of Mr Warren's letter transmitted in yours of the 28th February addressed to Mr Motz, relative to a projected

settlement by the states near Fort Erie, has been laid before Lord Dorchester

His Lordship commands me to say he cannot admit of any settlements whose vicinity to the King's Forts, would render their defence of less moment, These as well as all such are therefore upon every occasion to be discountenanced and prevented, but with civility and good humour

I inclose by His Lordship's orders copy of His letter to the Commanding Officer at St Johns

The steps you have already taken in this matter meet his Lordship's approbation But however inclined the Indians may be to grant the lands in question, it cannot be suffered to take effect

I am &c

FRAS LE MAISTRE.

Colonel Gordon M S

Endorsed—12

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 59-1 p 120)

The approach of Colonel Proctor's party, which had been announced by Indian messengers and the request from the Indians for advice on the subject of its mission, created a difficult situation, which was accentuated by later events

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Extract of a Letter from Lieut Colo Butler Deputy Agent of Indian Affairs—dated Niagara 24th April 1791

"About the 1st Instant I received Intelligence by two Indians from Buffaloe Creek that a Party of Chippewas from Cayahago river on Lake Erie had killed two Americans at Cassawago on the Venango river about Fifty Miles from Presque Isle and had sent Messages to the Six Nations which alarms them a good deal as the Chippewas are still about Presque Isle and say they are very Angry with the Six Nations for their Deceit

"On the 10th Instant I received a Belt of Invitation from the Chiefs at Buffaloe Creek requesting Colonel Gordon myself and the Indian Department to meet them in Council at that place in the space of three days, as they expected a visit from O Bale who was Conducting to their Council Fire a great man from the Governor of New York accompanied by a French Gentleman—and that they wished me to hear what these people had to say, Colonel Gordon thinking it necessary for me to comply with the request, I accordingly left this with Captain Brant but was much disappointed as I was detained there a long time almost to no purpose, I inclose you their speeches to me on this occasion Capt Brant left this yesterday and means to proceed to Detroit, which the Five Nations have approved of as you will see by their Speech—This Vessel sailing immediately on my return prevents me from having Dispatches compleated to go by her I have annexed a Copy of all the American Speeches for your information—The day before I left Buffaloe Creek A Nephew of O Bale came in and added to the above Intelligence, that it was not from one state, that the Council was to be with but that a number of Americans were coming to the Council at least one or two from each state and that their Business with the Six Nations was to take them by the hand and Endeavour to get them to accompany them to the Western Indians, in order to effect a Peace with those Indians and the United States

D

Sir John Johnson
Bart

Endorsed—29

In Lord Dorchester's to
Lord Grenville No 84
of 14th June, 1791

(Q 50-1, pp 165-6)

The Land Board was enlarged by the appointment of four new members, all of whom were magistrates John Burch was a miller at Niagara Falls John Warren, assistant commissary at Fort Erie, and Robert Kerr, surgeon to the Indian department

Proceedings of Land Board

"Land Board, Niagara, 3rd May 1791

"Present R Hamilton, Esquire John Burch, Esquire, John Warren Esquire, Robert Kerr, Esquire, John McNabb, Esquire

"Mr Hamilton laid before the Board a letter from Henry Motz, Esquire accompanying Lord Dorchester's order for augmentation and continuance of the Land Granting Department from the 1st May, 1791 to the last June 1793 The new members are John Burch John Warren Robert Kerr, and John McNabb, Esquires, of the Board any five are a Quorum

"The Board having observed that the intention of Government in keeping roads along the River from the Landing to Chippeway Creek has not been attended to by the inhabitants occupying those lands and who cannot be ignorant of a Chain being left by the Surveyor for that purpose The Board Order that as soon as the present crops are got in, the people do then move their fences and open the road to the breadth of the Chain of which the Clerk is directed to give them Notice

"The Board proceeded to grant certificates to such persons as attended

"Adjourned to the 1st Monday in June"

After conferring with Colonel Proctor the chiefs of the Six Nations held a council at Buffalo Creek which was attended by Colonel Butler and the commandant of Fort Erie on their invitation Butler advised them to maintain peace but counselled delay in co-operating actively with Proctor until they could receive a message from Brant who had headed a deputation to confer with the western Indians near Detroit

PROCEEDINGS OF AN INDIAN COUNCIL AT BUFFALO CREEK

Proceedings of a Council held with the Chiefs of the Six Nations at Buffaloe Creek, 4th May, 1791

Present

Lieut Colonel John Butler Deputy Agent
Captain Burrough 26th Regt
W B Sheehan
William Johnston Interpreter

The Chiefs of Buffaloe Creek having met, Colo Butler addressed them as follows,

Brothers,

A few days ago I received a Message from you to attend a Council begging that Coll Gordon and all those belonging to the Indian Department would accompany me as the Business was of the greatest importance to you and wished our assistance and advice, I am now ready to hear what you have to say and return you your Strings of invitation.

6 Strings Wampum

The Farmers Brother Speaker

Brothers,

An American and a Frenchman are arrived here who say they are sent to us by the President, General Washington, with a

number of Papers which we cannot read we hope you will read them for us and Explain them fully

Brothers,

Exclusive of these they have other papers, which they explained as follows. "That they are going on a Message with some Written Speeches to the Western Nations and that they were ordered to take the Chiefs of the Six Nations by the hand to accompany them agreeable to Capt O Bale's promise to Congress." This is a matter of serious Consideration to us Brothers what is your opinion

Colonel Butler replied as follows

Brothers,

I have heard with attention your speech it has always been my wish to advise you what I thought for your Interest I forsee the present case is not without its Difficulties—The King your Father wishes you to live in peace and I advise you by all means to preserve it, I cannot say it would be prudent for you to accompany these people immediately to the Westward, those Indians you know are a good deal enraged they have also threatened you and at your last Council you approved of Captain Brant's going to visit them to see what they are about, he is now gone and will use all his influence for peace I think you should hear from him before you determine on going, but if you think your going will be instrumental in making peace and not involve yourselves in troubles, I think you ought to embrace the opportunity of doing so

This is all that occurs to me, but I by no means wish your attention to it if it differs from your own opinion of this matter which concerns yourselves and the Americans but as you insisted upon my thoughts on the subject—I have given you them

The Farmers Brother Speaker

Brother,

We return you thanks for what you have said to us—We request you to take these Papers to Niagara that the King our Father may see them, and a few of our Chiefs propose meeting Colonel Gordon & yourself at Niagara in three days to speak further on this subject

Endorsed—33

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June 1791

(Q 50-1, pp 205-6)

FROM THOMAS PROCTOR TO COLONEL GORDON

Buffaloe Creek, May 5th, 1791

Sir,

Altho' I have not the honor of being personally known to you, I am notwithstanding emboldened to address you with a few lines, and thereby to acquaint you that I am charged with certain messages from His Excellency the Secretary at War for the United States to the Six Nations and other tribes of Indians inhabiting the lands on the borders of Lake Erie &ca One of these Messages are particularly sent to the Indians now unhappily at War with the Americans, and with which people it is the ardent desires of General Washington, the President of the United States that Peace should be established on lasting terms of Equity and Justice to them and Posterity And to accomplish the same I am commissioned to invite them to a Treaty on the Ohio not far distant from their Settlement

The better to accomplish this desirable object promises had been made to the President in January last by certain Chiefs who came to Philadalphia on business of the Six Nations, that they would appoint certain head men of their people to accompany such persons as should be sent into the Country of those unfortunate people to assist in bringing them to Terms of reconciliation with the Thirteen states

Thus, Sir, you will be enabled to discover on reading the last Message of the Secretary at War, thro' me to the Six Nations which with other public papers, will be handed to you by the Farmers brother, and other Chiefs who wait upon you, to receive your Council on this weighty business And I am happy to believe that you will entertain the most favorable sentiments on the Intent and meaning of those overtures for the restoration of peace. And the same being formed solely on the principles of Humanity and a regard for the well being of our fellow men, that the same motive will invite you to give a small assistance in providing so laudable an undertaking and that of such a nature and tendency, as to promote the Happiness of His Britannic Majesty's subjects of Canada as well as to the United States in general

The favor I have to requeest at your hand—namely to permit me to Charter a Frigate, or one of your Vessels for such number of Indians, as may accompany me to Sandusky, on the west end of Lake Erie

So far as my requests meet your approbation, I shall receive the greatest Honor, by your signifying the same by a line to

Sir,

your most humble Servant.

Thomas Proctor

Endorsed—No 34

In Lord Dorchester s to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1, pp 208-10)

From John Butler to Colonel Gordon

Niagara, 6th May, 1791

Sir,

The enclosed Speech is what passed between myself and the Chiefs of the Six Nations at Buffaloe Creek which I hope will meet your approbation

I had not an opportunity of seeing the Private instructions of Colo Proctor, but from the Conversation I had with him, imagine he is to proceed at all events (and should none of the Indians accompany him) to the Miami River, and from hence to the Ohio—he talked of hiring a Merchant Vessel to carry him to Sandusky and told me he hoped no impediment should be thrown in his way by preventing the Indians from accompanying him, he also said he expected to be supplied with Charts of the Lake from Government if he should want them

I am sorry illness has prevented me from waiting on you, but as I expect the Chiefs from Buffaloe Creek hope to be able to see you to morrow

I have the honor to be &c.

John Butler
D

To
Colonel Gordon

Endorsed—No 32

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June, 1791

(Q 50-1 p 204)

Meanwhile the Governor had received information which increased his apprehensions so much that he considered it necessary to repeat his warning message to Gordon, which of course did not reach him until about the end of that month.

FROM LORD DORCHESTER TO COLONEL GORDON

Quebec, 9th May, 1791

Sir,

The expected approach of an Army in the Indian Country, and the rumours of an intention to attack the posts or surprize them as was done at Ticonderoga in seventy six require that we should be on our guard and prepared for all events.

I send you herewith a copy of my orders to you of the 14th of last month, lest the original should have been miscarried, together with a copy of further directions of this date to Sir John Johnson on the same subject.

Should the turn of Affairs require the King's Vessels and gun Boats on the Lakes or any of them to be fitted for War, and the exigency of the service not admit of your waiting for orders from hence upon such reports as you may have to make you will proceed to arm and man the said Vessels or Gun boats, or so many of them as you think necessary, agreeable to the returns transmitted to you on the 6th of October last without delay.

I am &c

DORCHESTER.

Colonel Gordon D.

Endorsed—28

In Lord Dorchester's to
Lord Grenville No. 84
of the 14 June 1791

(Q 50-1, p. 164.)

Sir John Johnson was instructed to assure the Indians on the Grand River that General Haldimand's promise to them would be faithfully fulfilled and that the surrender of any part of their lands would not be accepted.

FROM HENRY MOTZ TO SIR JOHN JOHNSON

Quebec 9th May, 1791

Sir,

On the subject of Joseph Brandt's letter respecting the lands on the Grand River, I am to observe that without doubt the Indians are entitled to the full accomplishment of Governor Haldimand's promise to them without any diminution, and it shall be carried into execution accordingly

A Continuation of settlements along the borders of Lake Erie concerning which it seems Indians have been spoke to, may be for the general convenience of the King's subjects, but no parts of the lands promised to the Indians can be kept from them on that ground

To leave their choice more free it should have been explained to them that this proposal did not come from Government, as from Government they may now be assured their acquiescence shall not be accepted, while they think it hard, that they should give it back after it has been given to them—They must have all that has been promised, and if they should afterwards consent to surrender any part of their tract, for the accomodation of the King's subjects in general they must have full and ample compensation, for it to their entire satisfaction

As to the nature of the deed it should be framed in every respect according to their own wishes so as to secure the true interests of themselves and their posterity for ever in the most effectual manner—It will be very desirable that they should consider this matter fully among themselves, and bring forward the heads of the deed they wish to receive—You will be pleased to recommend this measure to Captain Brandt, and to acquaint him with His Lordship's sentiments, expressed in this letter in general.

I have the honor to be &c

Henry Motz

Sir John Johnson,
Bart

Endorsed—24

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June, 1791

(Q 50-1, pp 156 7)

At the same time he was directed to supply the western Indians with provisions to enable them to meet and deliberate fully on 'the means of restoring the general tranquility' But he was again warned to be watchful and reminded of the surprise of Ticonderoga "in seventy six," which ever haunted Lord Dorchester's memory

From Henry Motz to Sir John Johnson

Quebec, 9th May, 1791

Sir,

Your letter of the 5th instant has been laid before Lord Dorchester

His Lordship thinks it very natural that the present situation of the western Indians should call for more than usual supplies of provisions and necessaries and that without such aid it will be very difficult if not impracticable to engage a sufficient number of their leading people to meet, and continue together long enough for the purpose of fully deliberating in the means of restoring the general tranquillity

You will therefore be pleased to furnish His Lordship with a state of such extraordinary supplies, as you may conceive the present circumstances to require

Brant seems to think they are acting deceitfully with the Indians on this occasion, and that they intend to make a tool of him for that purpose

On the other hand many are of the opinion that there is an intention of attacking the posts, or surprising them as they did Ticonderoga in seventy six

My Lord therefore thinks it necessary to be prepared for all events, as you were informed by His letter of the 14th of last month

Besides great watchfulness in the affairs of your department to obtain and communicate the earliest intelligence of all movements in the Indian country, His Lordship wishes them to consider whether in the case of an approach of an army, the safety of the King's posts may not require that detachments from the garrisons and militia should march forward from Niagara and Detroit and occupy certain stations at a distance, what stations they think most eligible for this purpose, and by what force and means, they should be occupied

Upon all these matters they should communicate their opinions fully to the Commanding Officers of the respective posts, as well as to you

The situation of Oswego differs from that of the other posts but the means of its safety should likewise be fully considered and the sentiments of the Officer of your department at Niagara, with respect to it, made known to the Commandant and to you

His Lordship wishes to have your own sentiments on all these matters, as soon as can be, besides the communication of such

reports and observations as you may receive from your officers at the different posts in the upper country

I have the honor to be &c

HENRY MOTZ
D

Sir John Johnson
Bart

Endorsed—27

In Lord Dorchester's to
Lord Grenville No 84,
of the 14th June, 1791.

(Q 50-1, pp. 161-3.)

As two weeks had elapsed without receiving any reply to his letter from Colonel Gordon, Proctor wrote again, sending his second letter by his interpreter, who had been formerly employed in the British Indian department and was well known to Colonel Butler.

FROM THOMAS PROCTOR TO COLONEL GORDON

Buffaloe Creek May 17th, 1791

Colonel Gordon,

Sir,

The 5th Instant and immediately on the departure of Colonel Butler from this place I had the Honor to address a few lines to you, which I put into the hands of Captain William Print an Indian to be forwarded but I presume that the same has miscarried by some neglect.

The purport of it was to be permitted to have a passage in any vessel on Lake Erie for seventeen or more Indians, and for three other persons who bear me company to any part of the west end of the Lake.

The Mission that I am charged with is from the Secretary of War, for the United States, and directed to the Indians now unhappily at War with the Army of the United States, with desires to reclaim them to a peaceable demeanour, before certain desolation overtakes them, which is now pending. To effect the purpose of my request from Colonel Gordon, I have sent Mr Horatio Jones to receive an answer and should the freight of the above persons be granted, I shall with much pleasure satisfy the

Commander of such vessel for the same and the honor done in this instance shall be duly acknowledged by

Sir

your most humble & obedient Servant,

THOMAS PROCTOR

Colonel Gordon

Endorsed—35

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1, pp 211-2)

Gordon apologised for his delay in answering and stated bluntly that he had no authority to grant his request which was undoubtedly true.

FROM COLONEL A. GORDON TO THOMAS PROCTOR

Niagara, 18th May, 1791.

Sir,

A few days ago I had your letter of the 5th Instant, to which I should have returned an immediate answer had I not waited for some Public Papers, which you wrote were to be handed to me by the Farmer's Brother and other Chiefs, who were to wait upon me, to receive my advice on business of importance

They have however never made their appearance at this post

I think it but proper to give you this explanation, of my not having sooner replied to your letter, but as there is no Document, which places you in any other light than a private Agent, I cannot enter on any discussion of a public nature

Whenever any of the Chiefs of the Senecas or others of the Six Nations apply to me for Council I shall give them such advice, as I conceive best suits with the present situation of Affairs

As to that part of your letter which requests to be permitted to freight one of the Vessels on Lake Erie, to convey you, and such Indians as may be inclined to accompany you to Sandusky on the west side of the Lake, I beg leave to inform you, that I am not authorized to comply with your request

I am &c

A GORDON

Colonel Proctor

Endorsed—36

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June 1791

(Q 50-1, pp 213-4)

He then reported the matter briefly to the Military Secretary

From Colonel Gordon to Francis Le Maistre

Extract of a letter from Colonel Gordon to Francis Le Maistre, Esqr dated Niagara May 20th 1791

"There has for some time been at Buffaloe Creek a Colonel Proctor and three other people one of them I understand a French man they have had a Council with such of the Six Nations as are settled there, at which Colonel Butler was present, they produced voluminous papers from Congress and others of the United States Copies of which I imagine are forwarded by this opportunity to the Superintendent General I inclose Coll Butler's speech on the occasion—The Farmer's Son[1] and other Chiefs expected here have not yet made their appearance, But I inclose for His Lordship's information copies of two letters from Coll Proctor to me together with my Answer

"I have had it privately conveyed to me that the reason why the Chiefs have not appeared here to ask my Council, is, that they are very much divided, some are for going with Coll Proctor and others not—I shall follow in the advice I give them, much the same line as prescribed by Lt Coll Butler, shou'd they apply for it"

D

Endorsed—31

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1 p 202)

Butler wrote more fully on the subject to Sir John Johnson and in a subsequent letter justified his conduct in favouring the migration of Indians to the Grand River in an aggrieved tone.

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[1] Probably the Farmer's Brother

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara, 20th May 1791

Dear Sir,

Since I had the honor of writing you last a good deal of Indian Business at Buffaloe Creek has been in agitation which required the Chiefs to send for me to attend their Council the proceedings of which I have the honor to enclose herewith. About three weeks ago a Colonel Proctor arrived there accompanied by a Frenchman called Capt *Houdin* and O Bale with some of the Senecas that adhere to him they left Philadelphia about the middle of last March and have brought a number of Papers Speeches, &ca from Washington and the Secretary at War addressed to different nations of Indians those to the Six Nations I have got, but being so voluminous and Colonel Gordon requiring a copy I fear they cannot be ready for you by this vessel but shall be sent in the very next which will be in three days

Col Proctor's instructions are from H Knox, Secretary of War by which he is to take the Six Nations by the hand to accompany him to the Westward and to take all those Nations to Governor Sinclair at Fort Washington on the Ohio, to meet in Council there but his speeches are so haughty and explanatory, that in my opinion they cannot be delivered to these Indians already so much enraged, without risque to himself and failing of his object—It is well known that nothing is to be got by threatening these People

The object of his Business with the Six Nations is not yet compleated but I am since informed that the Cow Killer with some Senecas and two Onondagas have agreed to accompany him the Chiefs from Buffaloe Creek have proposed a Council at this place respecting these matters I expect them to morrow and shall take the earliest opportunity of reporting to you their proceedings until this Council takes place nothing can be said with certainty as to the part they mean to act.

As my private Affairs will require my presence in Montreal, I have to request your permission to go down for that purpose as I imagine after the meeting there will be little or nothing to detain me

I have the honor to be &c

JOHN BUTLER
D

Sir John Johnson
Bart

Endorsed—37

In Lord Dorchester's to
Lord Grenville No 84
of the 14 June 1791

(Q 50-1, pp 215-7.)

FROM JOHN BUTLER TO SIR JOHN JOHNSON

Niagara 27th May, 1791.

Dear Sir,

I received your letter of the 25th April respecting the removal of the Tuscaroras and of the settlement intended to be made of the Americans opposite to Fort Erie on the receipt of your letter I enquired of the Tuscaroras, what was their reason or who had advised them to remove over

They gave me for answer they had already assigned their reason for wishing to move over and that they had been advised by the Indians settled on the Grand River.

I have also enquired of the other nations if they received any applications for a settlement at Skeendioghquade's Creek they replied that no application had been made to them, but they had heard of Skentioghwadighs say that Americans wished to build a Mill at his Place and were making application to the states for that purpose

Since its coming first to my knowledge which was from Colo Gordon I have taken every step in my power to prevent it, and am convinced the Indians will not allow it to take place

How any censure should be thrown on me for either astonished me as much as the circumstances could astonish you, but to stop the torrent of censure aimed at me requires more than I can write—I at first thought it for the interest of Government for the Tuscaroras to remove to the Grand River but when I found it disapproved of, I have used all my influence to prevent its taking place If I have erred in opinion I should not be blamed for any subsequent change of theirs & of which I probably may have no intimation at the time I rely on you Sir to explain this matter in its true light which I have now stated, and hope you will be convinced that any Censure thrown on me upon this occasion is without the least foundation as can at any time be made appear

I have the honour to be &c

Sir John Johnson
Bart

JOHN BUTLER.
D

Endorsed—17

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1, pp 126-7)

Lord Dorchester did not conceal his displeasure at the recent management of Indian affairs at Niagara and censured in particular the timid and faltering tone of one of Butler's speeches to the Six Nations

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From Francis Le Maistre to Sir John Johnson

Quebec 30th May, 1791

Sir,

Lord Dorchester having been informed that Capt Powell of Nassau, has been tampering with some of the Seneca Indians for the purpose of forming a Settlement of some people, not the King's subjects on Skeendioghquade's Creek near the East end of Lake Erie where they are supposed to intend building Mills, I am commanded to signify His Lordship's desire that you make diligent Inquiry concerning the truth of the report and the particulars of the transaction alluded to and inform His Lordship of the result

The Commanding officer at Niagara has been directed in case he shall find the report grounded, to call upon Captain Powell for an explanation of the reasons of his conduct, which wears an unseemly appearance for a Magistrate and an Officer upon half pay

I am &c

Fras Le Maistre
D

Sir John Johnson
Bart

Endorsed—15

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1, p 124)

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

Quebec 2d June, 1791.

Sir,

I am by no means satisfied with the language held by the Deputy Agent at Niagara to the Chiefs of the Six Nations on the 4th of May last a copy of which is inclosed

He should have consulted the Commandant previous to giving any opinion or advice upon matters of such delicacy and importance to the Indians

You will be pleased to direct the Deputy Agent upon all future occasions of this nature, when he has no special instructions to report to the Commandant and wait for his advice

I am &c

DORCHESTER

D

Sir John Johnson,
Bart

Endorsed—38

In Lord Dorchester's to
Lord Grenville No 84
of the 14th June, 1791

(Q 50-1 p 218)

FROM LORD DORCHESTER TO COLONEL GORDON

Quebec, 2d June, 1791.

Sir,

The application of Mr. Proctor for the hire of one of the King's Vessels on Lake Erie communicated in your reports of the 20th of last month, has to me an appearance of insult, 'tis impossible he could expect success

I take for granted you have taken effectual means to prevent his procuring any vessel or conveyance whatever, from any of the King's Subjects, which Mr. Butler mentions to have been his intention

My letters of the 14th of April and 9th of May have apprized you that there are rumours of an intention to seize the posts, which implies the vessels also, and of course any means for carrying hostile designs into execution—You will therefore be upon your guard against every thing which may have a tendency to facilitate such designs.

The inclosed copy of my letter to Sir John Johnson will inform you of my sentiments on the conduct of Lieutenant Colonel Butler on this occasion.

This is a matter of too great delicacy and importance to give any opinion upon.

Whatever advice may be given will eventually expose us to the reproach of acting deceitfully with the Indians.

I am &c

DORCHESTER.
D.

Colonel Gordon
or Officer Commanding
the Upper Posts

Endorsed—39

In Lord Dorchester's to
Lord Grenville No 84,
of the 14th June 1791

(Q 50-1, pp 219-20)

At the next meeting of the re-organized Land Board the selection of a town site at the mouth of the river was approved and the name of Lenox was given to it.

PROCEEDINGS OF LAND BOARD

"Land Board for the District of Nassau held at Niagara the 6th June 1791

"Present Colonel Gordon, Command'g Upper Posts, Lieut Col John Butler, Robert Hamilton John Burch, Robert Kerr John McNabb, Lt Bruyere R Engineers

"The board having met, Colonel Gordon laid before them several letters and instructions from Head Quarters for their guidance which were read, also a paper signifying the appointment of Mr Jones as Deputy Surveyor for this District who was sworn by the Board for that purpose

"Instructions were given to the Surveyor to proceed in laying out the Town of Lenox.

"Read a petition from Peter Secord[1], Senior, stating that he had been promised by Brigadier General Powell six hundred acres of land but from the late regulations he finds himself only entitled to three Hundred that having improved a great quantity of land, and erected buildings prays the Board to take his industry into consideration and grant him the remaining three lots agreeable to the promise of Brigadier Powell, &c., which the Board agree to refer to his Lordship

'Received a petition from the Widow Van Every for leave to dispose of lots 10 and 37 in 1st Township which was granted upon condition of the purchase money being lodged in the hands of the Board, until a Division of it takes place with the rest of the family

"The Board proceeded to grant certificates and transferred the lands that Henry Jago, Christian Jacobs and James Dugan were entitled to to John McEwen, who had purchased them

'The lot of land in dispute between Elsworth and Forsyth near the Falls containing about sixty acres, is ordered to be divided, Acre for Acre, between them

"Several disputes about lands, viz, between Lawrence Jenning and Peter Thompson, 3d Between David Betton and Archibald Flack, 3rd Between John Thompson and James Burke were, by recommendation of the Board referred to Arbitration Adjourned to Monday, 20th June 1791

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[1] See also his later petition in Papers and Records of the Ontario Historical Society, Vol XXIV pp 119-120

EXTRACT FROM THE QUEBEC LAND BOOK

Wednesday 8th June, 1791

His Lordship informed the Council that he had continued the appointment of the different Land Boards in the province until the first day of June 1793—and communicated a Schedule of the persons named with a Copy of the Letter of Appointment addressed to each Board which were read in the following words,

Schedule of the Land Boards appointed by His Excellency Lord Dorchester to act from and after the first day of May, 1791

Sir John Johnson Bart President of the Land Boards of Montreal Luneburg Mecklenburg, Nassau and Hesse when present

Nassau

The Officer commanding the Upper Posts
Lieut Col. John Butler
Peter Tenbrook
Robert Hamilton
Benjamin Pawling
Nathaniel Pettit
Gilbert Tice
John Burch
John Warren
Robert Kerr
John McNabb
Esquires

The Officer of the Royal Corps of Engineers stationed at Niagara for the time being

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From John Collins to Augustus Jones

Surveyor General's Office 10th June, 1791

Sir,

His Excellency Lord Dorchester has been pleased to order one thousand acres of land to be laid out at Toronto for Mr Rochblave, and for Captain Laforce and for Captain Bouchette seven hundred acres each which please to lay out accordingly and report the same to this office with all convenient speed

I am &c

John Collins, *D.S.G.*

Mr Augs Jones, D P S

Colonel Gordon commented with considerable acerbity on what appeared to him to be duplicity on the part of the United States in their negociations with the Indians as well as their unwillingness to accept any mediation from the British government Butler was spurred to activity by instructions from Sir John Johnson.

From Colonel A Gordon to Joseph Brant

Niagara, 11th June, 1791

Dear Sir

I am glad to find by your letter, from the foot of the Rapids to Colonel Butler, that you was in good health, and I very sincerely hope the business you are engaged in will be attended with success

From the inconsistent proceedings of the Americans, I am perfectly at a loss to understand their full intentions. Whilst they are assembling Councils at different quarters, with the avowed purpose of bringing about a peace the Six Nations have received a Speech from General St Clair, dated at Pittsburgh 23rd of April inviting them to take up the Hatchet against their Brothers the Western Indians

Can anything be more inconsistent? or can they possibly believe the Indians are to be duped by such shallow artifices?— This is far from being the case, the Indians at Buffalo Creek saw the business in its proper light, and treated the invitation with the contempt it deserved.

It must strike you very forcibly, that in all the proceedings of the different Commissioners from the American States, they have cautiously avoided applying for our interference, as a measure they affect to think perfectly unnecessary wishing to impress the Indians with Ideas of their own consequence, and of the little influence they would willingly believe we are possessed of This my good friends is not the way to proceed Had they before matters were pushed to extremity requested the assistance of the British Government to bring about a peace on equitable terms, I am convinced the measures would have been fully accomplished long before this time

I would however willingly hope they will yet see the propriety of adopting this mode of proceeding and that peace an object so much to be desired will at length be permanently settled. I am the more sanguine in the attainment of my wishes, by your being on the spot and that you will call forth the exertion of your influence and abilities on the occasion

Let me hear from time to time how matters are going forward, and with my wishes for your health believe me

your Friend,

A Gordon

D

Captain Brant.

Endorsed—7

In Lord Dorchester's
to Lord Grenville No 95
of the 1st July, 1791.

(Q 51-2, pp 777-8)

From John Butler to Sir John Johnson

Niagara, 13th June, 1791

Dear Sir,

I have been honored with your letter of the 22nd May last with its enclosed Extracts. In answer to which I am clearly of opinion that every prudent precaution should be taken to put us in a situation to meet the worst, as the present operations of the Americans, altho' under pretence of prosecuting another object, may be aimed at the Posts in the End, and to which their endeavouring to draw the attention of the Six Nations another way seems to give too much reason to expect, and as their troops are levied and in the Indian Country, the smallest pretext added to their present pretensions, may cause them to make an attempt.

If the Indians should be obliged to fly before this Army and should chance to take shelter under the protection of any of our Forts there is not the smallest doubt with me but they would take advantage of that Occasion, for if they find we even continue the accustomed supplies to the Indians at war with them, they will make a handle of it.

By the advice of Colonel Gordon I have sent out Captain Joseph Clement, and my son Johnson Butler on whom I can rely (under colour of business) to see if there is any thing amongst them which indicates their intentions, the result of which shall be immediately communicated to you on their return.

If we have further reason to think they aim at this Post and Oswego, I think a Secret eye should be kept on the Three Rivers, Big Sodus, and Presque Isle, the two latter places, I think we may rely on the Indians for intelligence, at the same time our Militia should be put in the best disposition their present situation will admit of, with full confidence that the necessary arms, &ca., will be put in their hands or lodged in some convenient place but to avoid giving suspicion, I should recommend the latter as the most prudent.

For the present condition of the Militia I beg leave to recommend you to the Returns, from which His Lordship will be able to judge how far they may be serviceable and to effect any plan with them or the Indians, which His Lordship may think necessary, no exertions of mine shall be found wanting consistent with the orders I may receive.

I am happy to find by the late conference that the Indians (a few Individuals excepted), are firmly attached to His Majesty's Interest, to keep them so, and United will require attention assisted by the means which generally Predominate over them.

I have already brought back those scattering Senecas about the Allegany River and near the Ohio, who are settled at Cadaragras[1]—from whence they have been absent since the Peace, and I hope this measure will meet His Lordship's and your approbation

I have the honor of enclosing to you herewith Copies of our late Councils with the Six Nations and am &c

JOHN BUTLER.
D

Endorsed—8

In Lord Dorchester's
to Lord Grenville No 95
of 1st July 1791

(Q 51-2, pp 779-81.)

Lord Dorchester's policy was distinctly defined in the concluding paragraph of the following letter to Mr. Grenville

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FROM LORD DORCHESTER TO LORD GRENVILLE

Quebec, 14th June 1791

No 84

My Lord

[illegible]

A Mr Proctor, charged, as he says with a commission to invite the different tribes of Indians to a general meeting on the Ohio, for the restoration of peace, has lately made his appearance among the six nations near Niagara requesting them to accompany him to the westward, and lend their aid in the accomplishment of this object. He has likewise applied to the Commandant of Niagara for assistance to that effect, and for one of the King's vessels to carry him to the West of Lake Erie which the Commandant refused

By the accounts from Detroit it appears that the Indians have been active all winter in harassing the western settlements of the states by small parties from different tribes and quarters that military preparations and movements in the Indian Country are carried on with vigor on both sides, that the Indians expect further hostilities and that it is doubtful whether the steps taken by the Deputy Agent at Detroit towards effecting a re-estblishment of peace, in consequence of my orders (C in No 82) will have any success

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[1] Now Cattaraugus, N Y

In this conjuncture of affairs it seems expedient to avoid every thing that may tend to involve us in the contest or in the turn of affairs may expose us to the reproach of acting deceitfully towards either party, at the same time holding ourselves prepared to meet all events, as far as our strength and present condition will permit

I am &c

DORCHESTER

Lord Grenville

(Q 50-1, pp 82-5)

The attention of the Land Board was engaged by the survey of the projected town and the proposals for transporting goods over the newly opened portage road by a company in which two of the members, Robert Hamilton and John Burch had a large interest

PROCEEDINGS OF LAND BOARD

"Land Board held at Niagara, for the District of Nassau, Monday, 20th June, 1791

"Present Colonel Gordon, Commanding the Upper Posts, Lt Col Butler, Robert Hamilton Esquire Nathaniel Pettit Esquire, John Burch, Esquire John McNabb, Esquire Lieut Bruyere Royal Engineers

"The Deputy Surveyor laid before the Board the out lines of proposed Town of Lenox by which there appears to be an error in the plan presented by the Surveyor General, which states that the reservation for works on the high ground back of Navy Hall, will leave a front for a town of three quarters of a mile and six hundred and forty feet Instead of this it appears from the present survey and report of the engineer there will remain only a front of about eight hundred yards In some measure to remedy this the Board direct each lot to be divided into two, which will still leave as many lots as were originally intended, which they order the Surveyors to perform.

"The Board having received a petition from several principal inhabitants, stating their ability to fulfill the intentions of Government respecting the transporting across the carrying place all the effects of Government on the west side of the River and having examined several people as to the facts stated in the petition from hence, the Board are of opinion that they are fully adequate to the end proposed and that the security required is ready to be lodged for the performance of the contract, fully convinced of the essential service the settlement will derive from having this portage made a central public road and do strongly recommend the plan proposed

Proceedings of Land Board

"Land Board held at Niagara 24th June 1791.

"Present Colonel Gordon Commanding upper Posts, Lieutenant Colonel Butler, Peter Ten Broeck, Robert Hamilton, Benjamin Pawling, John Burch John Warren, John McNabb, Esquires, Lieutenant Bruyere, R Engineers.

"The Board after reconsidering the plans for a County Town in this District relinquish the first proposed by the Surveyor General and adopt the second as most eligible, the first having been curtailed by the reservations for Government, to a front of only eight hundred yards They accordingly direct the Surveyor to run the out lines of the said town to the west of Navy Hall adjoining the reservation and they direct that such persons as may be inclined to build on Town lots shall pay to the present possessors two pounds ten shillings N Y Currency for each improved acre and the present occupants are permitted to retain the lot on which their houses may fall.

"The Board Authorize a Public House to be built on the corner lot at the east end of the Town adjoining the River and a Mason's Lodge on the next to it Adjourned to the 2nd Monday in July

After due enquiry Colonel Gordon reported that the complaint made by Brant against Captain John Powell was not sustained

Proceedings of Land Board

"Land Board held at the 40 Mile Pond for the Upper Townships viz, No 5, 6, 7 and 8 10th February, 1791.

"Present Lieutenant Colonel Butler, P Ten Broeck, Robert Hamilton, Nathaniel Pettit, Esquires.

"The plans of the several townships being laid before the Board they proceeded to grant certificates to such of the Inhabitants as attended."

After considerable deliberation Lord Dorchester instructed Sir John Johnson to ascertain "with certainty and dispatch" on what terms the western Indians, who had gained a considerable success over the troops sent against them commanded by Colonel Harmar, would be willing to make peace with the United States

From Lord Dorchester to Sir John Johnson

Quebec, 10th February, 1791

Sir,

I have often expressed my concern at the hostilities between the United States and the western Indians, and that I should feel great satisfaction in being instrumental in putting an end to these calamities

I do not know how far this may be in my power, but wishing to be fully prepared, in case the opportunity should offer, you will be pleased to take such means as you may think most effectual, to learn with certainty and dispatch the nature and extent of the specific terms, on which the confederated Indian Nations may be disposed to establish a general tranquillity and friendship, with the United States together with the grounds of equity, justice, and policy of those claims and pretensions on which they may think it expedient and incumbent on them to insist, for their honor and interest

As the Indians themselves are the best judges of the extent of their own confidence they should be made clearly to understand, that there is not the smallest desire to obtain any knowledge of their views and designs, but what they themselves of their own free choice may think proper to communicate

I am &c

Sir John Johnson   Dorchester.
Bart   D.

Endorsed—C

In Lord Dorchester's to
Lord Grenville No 82
of the 19th Feby 1791

(Q 50-I, pp 76-7)

As Philip Frey had not returned to Niagara, Augustus Jones was appointed to succeed him as deputy surveyor, and given explicit instructions to continue the surveys

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From Colonel Gordon to Francis Le Maistre

Niagara 29th June, 1791

Sir,

In consequence of your letter, under date 30th May, I have made what enquiry was in my power, in order to discover whether there was any ground for supposing Captain Powell had been tampering with the Indians at and in the vicinity of Buffaloe Creek to establish a settlement of some persons not subjects of the King; and after having sent for Capt Powell and talked the matter over I have no reason to suppose him in any degree reprehensible

But as I am ignorant of the Channel through which His Lordship received His information I am not enabled to investigate the whole of the transaction so fully as I should otherwise be, was that known to me

I have the honor to be &c

A. GORDON
D

Major Le Maistre
M S
Head Quarters

Endorsed—(9)

In Lord Dorchester's to
Lord Grenville No 98
of 27 July, 1791

(Q 52 p 195.)

The recently appointed deputy surveyor reported progress of surveys at considerable length

FROM AUGUSTUS JONES TO JOHN COLLINS

Nassau, 29th June, 1791.

Sir,

I am honoured with yours of 22nd February last informing me of my appointment to the office of Surveyor in this District, accompanied with instructions for my conduct in this business and covering a draft for fifty pounds, Quebec currency, on Hamilton and Cartwright, to enable me to carry on the same

I would wish in the warmest terms to express my gratitude to you for your goodness in procuring me this appointment, believing however that the most effectual way to evince that will be my future attention, assiduity and industry; I will endeavour by these and by the strictest obedience to such orders as you may furnish me with to shew that I am not unworthy your future countenance or of the favor already conferred

Since my appointment I have been busy in surveying the ground for the proposed town of Lenox The Land Board now state the reasons that have induced them to change the place they had formerly proposed and to prefer the situation on the north of the intended works at Navy Hall to those on the south side

How such an error could arise as 800 yards in the distance between the high ground at Navy Hall and the fixed line of the granted land I cannot conceive but such it is and leaves after the reservation of Government only 800 yards for the front of the town The land behind also is by no means favourable, and in my opinion the Board and Settlement has made for a more eligible choice

A Plan of the proposed town accompanies the letter from the Land Board and will more fully explain every particular, as it is thought expedient to wait the consent of Government to this alteration and as the lands are mostly covered with grain which in a month or two will be gathered in, the Land Board have directed me to proceed on the surveys from the Eastern Boundary of the District and to defer laying out the town till my return, which I trust will meet your approbation

Inclosed I herewith transmit an account of my time since my being first employed by the Board here on the departure of Mr Frey which I respectfully submit to your control When not employed in actual Service I was constantly engaged by the Land Board in making plans of the different towns and in attending their meetings when granting certificates for lots in these This is also accompanied by a state of the actual expences attending the survey of the lands reserved for the Indians on the Grand River as certified by the Board You will observe the pay allowed the men on that party is higher than is to be given by the Regulations now received, when however you consider the hardship of the service undertaken in the middle of winter and in a country where the men were obliged to carry a week or ten days' provisions on their backs and that as these men were hired by the day as we could not ascertain the time necessary for the service, I trust you will not find this unreasonable In future I hope to procure the hands on the terms you point out

I have appointed Robert Lester, Esqr , my Attorney in Quebec to settle my pecuniary business there As the amount of these sums has been on the wish of the Board advanced by merchants here and as my own situation does not allow me to lay long out of my pay I depend upon your kind interposition to have those audited with your first leisure.

I shall take the earliest opportunity in my power to extend for you a plan of this settlement on the scale you direct with the owner's name on each Lot, in the mean time I send you a plan of this settlement from scale of eighty chains to an inch which I hope will meet your approbation

I am &c

AUGUSTUS JONES, D P S

John Collins Esqr D S General, Quebec

(District of Nassau, Letter Book No 5, pp 41-2)

STATEMENT OF ACCOUNT BY AUGUSTUS JONES

Surveyor General's department

To Augustus Jones, Dr

District of Nassau

To actual surveys running a Township line back of Township No 5 from the 22d April, 1790 to the 9th May both days inclusive—18 days at 7/6	£ 6 15 0
To surveying part of a Township on the North West side of Lake Geneva from the 14th May 1790 to the 26th both days inclusive—13 days at 7/6	4 17.6
To Surveying Indian lands Grand River from the 4th Jany 1791 to 29th March both days inclusive—85 days at 7/6	31 17.6
To his salary from the 28th November 1789 to the 10th April 1791, 383 days Exclusive of 116 days upon Actual surveys at 4/	76 12 0
To a Ration of Provisions from the 11th October, 1789 to the 10th April 1791—463 days Exclusive of 85 days drawn from the Kings store at 1/3 pr day	28 18 9
E E Quebec Currency	£149 0 9

Amounting to One hundred and Forty Nine pounds and Nine pence Quebec Currency—

I do Certify this to be a just and true Account 11th April, 1791

Sworn before me at Niagara this 29th
day of June 1791—R HAMILTON, J P AUGUSTUS JONES, D S
(State Records)

The critical situation confronting Gordon and his apprehensions were clearly stated in a letter to Lord Dorchester requesting more explicit instructions, but with little effect

From Colonel A Gordon to Lord Dorchester

Niagara 4th July, 1791

My Lord,

I had the honor to receive your Lordship's letter under date 2nd June covering the copy of one from your Lordship to Sir John Johnson on the subject of Lieutenant Colonel Butler's speech to the Chiefs of the Six Nations, on the 4th of last May

In my dispatches under date 14th June, I had the honor to convey to your Lordship copies of different papers from Buffaloe Creek, together with my reply to the Chiefs and Warriors of the Six Nations, as also a copy of a letter I addressed to Captain Brant at the foot of the Rapids on the Miamis both of which I hope will meet your Lordship's approbation

From the delicate situation in which I feel myself placed with respect to the Indians, and the necessity I am under of attending and returning answers to their almost daily Councils, I am induced to address your Lordship on the critical situation which they appear to me to stand in, and to hope I may receive your instructions to guide my general line of conduct towards them

I am fully convinced from every information I have received, the Six Nations will be obliged to embrace hostile measures, in favor of the Americans or in support of their Allies the Western Indians, in either of which situations they will expect some decisive measures on our part. Shou'd they as there is every reason to believe decline the solicitation of the Americans to take up the hatchet many of their Villages and scattered settlements will without doubt be sacrificed to such refusal, those settled at Buffaloe Creek feel their defenceless situation in this respect very forcibly

Many families of the Delaware Nation, not withstanding the active zeal with which they conducted themselves in support of Government during the last war continued on the conclusion of the peace at their former places of residence are now crouding towards our limits in order to avoid Joining the Americans on the present occasion

In short the whole body of Indians who have been used to apply to Government in matters of difficulty, are alarmed and appear in such a state of uneasiness, I do not hesitate to pronounce, that the steps pursued in this crisis will either tend to rivit their attachment, or operate with very contrary effects

Little acquainted with the stile in which Indians are accustomed to be addressed and anxious that my conduct shou'd meet your Lordship's approval, I hope you will forgive the earnestness with which I again solicit your instructions on this subject

I beg leave at the same time to observe to your Lordship, that the presence of Sir John Johnson as a person to whom they look up with respect and confidence, wou'd I am convinced be attended with happy effects on the present occasion I propose having the honor to write him by this opportunity stating the particulars which I now lay before your Lordship

As the Merchant vessels both on this lake and those above, are unarmed, and their capture wou'd greatly facilitate any hostile views the Americans may have against the King's Posts I have without waiting for your Lordship's instructions, given orders they shall not be permitted to sail unless in Company with one of His Majesty's Armed vessels As this order may be attended with some occasional delay and perhaps detriment to the Mercantile interest I have to request your Lordship will honor me with your commands on this subject as soon as possible.

I have the honor to be &c

A Gordon
The Right Honble Lord Dorchester D
&c &c, &c.

Endorsed—7

In Lord Dorchester's
to Lord Grenville No 98
of 27th July, 1791

(Q 52, pp 190-2)

Proceedings of Land Board

"Land Board held at Niagara 8th July 1791

"Present Lieutenant Colonel John Butler, Robert Hamilton, John Burch Robert Kerr, John McNabb, Esquires

"The Board having met proceeded to grant certificates to such of the Inhabitants at attended Adjourned."

From Lord Dorchester to Colonel Gordon

Quebec 14th July 1791

Sir,

From your letter of the 4th instant I perceive with concern that the hostilities in the western country are likely to spread still further, yet I see no ground at present for adding to, or altering, the instructions formerly given, The same principles must still govern your conduct, and the same wariness and vigilance observed which has been so often recommended

In regard to private vessels on the lakes it may suffice at present to give orders, that the masters of the King's armed vessels take under their convoy and protection all such as may think proper to sail in company with them and request that assistance informing the Merchants thereof and recommending it to them to avail themselves of the advantage, as often as circumstances will permit

Should any further restraints become necessary, they must be imposed in the manner directed by the ordinance of 1788 for promoting the inland navigation, a copy of which is inclosed for your information

You will of course report any event which may call for such interference and hold the merchants apprized of any circumstances interesting to the safety of their vessels

It may however be expedient to caution private vessels, and order those in the King's service not to admit persons unknown, especially in numbers to come on board, nor to land or anchor at places not under our immediate protection

I am &c

DORCHESTER
D

Colonel Gordon
Endorsed—8

In Lord Dorchester's
to Lord Grenville No 98
of 27 July 1791

(Q 52, pp 193-4)

Walter Butler Sheehan, a nephew of Colonel Butler and storekeeper in the Indian department was appointed Sheriff of the district to fill the vacancy caused by the death of Gilbert Tice

COMMISSION OF SHERIFF TO WALTER BUTLER SHEEHAN

George the Third by the Grace of God of Great Britain, France and Ireland King Defender of the Faith and so forth

To Walter Butler Sheehan Esquire, and to all whom these Presents shall come to Greeting

Know Ye that reposing trust and confidence in the Loyalty, Integrity and Ability of You the said Walter Butler Sheehan, of

Our special grace, certain knowledge and meer motion, We have Assigned, Constituted and Appointed and by these Presents Do assign, constitute and appoint You the said Walter Butler Sheehan to be Sheriff for the District of Nassau within Our Province of Quebec in the Room and place of Gilbert Tice Esqr deceased; and We Do give and grant the same District to be your Bailiwick and Do commit to your care and keeping the Prisons within the same District To have and to hold exercise and enjoy the said Office and Bailiwick for and during Our Pleasure and your residence within the same District, Together with all and singular the Powers and Authorities profits benefits privileges and Emoluments which unto the said Office and Bailiwick belong and appertain In Testimony whereof &ca

16th August 1791

(Draft of Commission in State Records.)

An effort was made by the Land Board to promote the cultivation of hemp but no record has been found of the result

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau 6th September, 1791

"Present Colonel Gordon Commanding Upper Posts, Robert Hamilton Robert Kerr Esquires Lieutenant Bruyere Royal Engineers.

"The Board having met, Colonel Gordon laid before them several letters relative to the Land granting Department and stating that in consequence of an application from this Board a quantity of Hemp seed had been sent up for the Inhabitants of this District and for the purpose of making a tryal of the seed the Board authorizes two barrels to be distributed in small quantities this fall—adjourned"

Later activities of the Land Board and the progress of surveys are briefly narrated in the following minutes and a letter from the diligent deputy surveyor

PROCEEDINGS OF LAND BOARD

"Land Board Lenox, 9th November 1791

"Present Lieutenant Colonel Butler, R Hamilton, R Kerr, John Burch, Esquires, Lieutenant Pilkington, Royal Engineers

"The first business before the Board being to fix the boundary between the town of Lenox and works reserved for Government, they therefore directed the Deputy Surveyor, who was assisted by the Engineer, finally to fix the said line, which was accordingly executed and the base line marked with stakes The Board in consequence directed the Surveyor to employ sufficient hands to lay out the said town into lots agreeable to the plan produced by him and approved by the Board in which business he will proceed without Delay"

FROM AUGUSTUS JONES TO JOHN COLLINS

Niagara, 16th November, 1791

Sir

I am honoured with your three letters of different dates with the enclosures & have been busy in making out the plans of the townships of this Settlement and completing a register of reduced Provincial troops being under the designation you direct

The death of my father and brother (which happened last Month) prevented me from making my returns to you as soon as I could have wished

The plan which I mentioned to have sent I left with the Clerk of the Land Board when I was ordered by them out on actual survey he was to have sent it by the first Opportunity that might offer, he falling sick it was neglected and I concluded it was gone down till I received yours as the draft has been somewhat defaced, [I] hope you will excuse the present appearance as I had not time to make a new one This I send with the plans of the different townships & with proprietor's name inserted in his own lot which I hope will meet your approbation

Inclosed is a charge of expences incurred in surveying the last six months with the vouchers both from the Land Board and the men who has been employed which I trust you will find right

I have compleated the survey from the Eastern Boundary of this District extending westerly two miles beyond Toronto, including the fronts of eleven townships agreeable to your regulations in that respect; a plan thereof together with the field notes I will extend for you the earliest opportunity that may offer after this

The Land Board ordered me to proceed in laying out the town lots in Lenox, for the accomodation of several persons who wish to build when this is compleated I shall have the honour of laying it before you

New as yet in the office you have had the kindness to place me in I trust to your goodness to overlook any inaccuracies or omissions I may have been guilty of and I shall most thankfully receive any corrections or instructions you may be pleased to favour me with. With sincere Respect I am &c.

AUGUSTUS JONES, D.P.S.

John Collins, D.S.G.

(District of Nassau Letter Book No. 5, pp. 52-3.)

PROCEEDINGS OF LAND BOARD

"Land Board, held at Fort Erie, 21st November, 1791.

"Present: Lieutenant Colonel Butler, Robt. Hamilton, Benjamin Pawling, John Burch, John Warren, Esquires.

"The Board having met in this part of the District for convenience of the settlers, granted certificates of location to such as attended. Advertisements were issued informing the public that the hemp seed would be distributed gratis in proportion to the land they would have prepared in the spring.

"The Board, after regulating the number of people for the different parts of the public road leading from Chippeway Creek to Fort Erie, adjourned."

Towards the end of November the surprising news of the complete defeat of General St. Clair's force was received and embodied in the following anonymous letter, probably written by Robert Hamilton as a comparison with a part of Hamilton's letter to Simcoe, dated at Niagara on 4 January, 1792, and printed in Volume I, pp. 98-9, goes far to prove. By the fur-traders and officers in the public service in Canada there can be little doubt that this was considered an event of great importance as being likely to place the frontier posts in a position of safety from attack for a long time and promoting the return of peace in the Indian country. As soon as Simcoe heard of it he wrote to Mr. Dundas that it "may be productive of beneficial consequences to the Government of Upper Canada by terminating the War upon equitable terms between the American Indians and the United States."

A LETTER FROM NIAGARA

Niagara, 24th Novr., 1791.

Dr. Sir,

I wrote you a few weeks ago, perhaps this may reach you nearly as soon as the other; the reason of my troubling you is to convey the very interesting News we have just rec'd from Detroit

—The American Army of which no doubt you have this summer heard, had advanc'd on the third of this month to within Forty Miles of the Miamis Towns they were there encountered by near Two thousand Indians, who on that day took from them the greatest part of their Horses & Cattle—On the 4th, at Sun rise they attack'd their Camp but were twice repuls'd irritated beyond measure, they retir'd to a little distance where seperating into their different tribes and each conducted by their own Leaders they returned like Furies to the assault & almost instantly got possession of near half the Camp—they found in it a row of Flour Bags & bags of Stores which serv'd them as a Breast work from behind which they kept up a constant & heavy fire the Americans charg'd them several times with Fixed Bayonets but were as often repuls'd—at length General Butler second in Command, being kill'd the Americans fell into confusion & were driven from their Cannon round which a Hundred of their bravest Men fell the Rout now became universal & in the utmost disorder the Indians follow'd for six Miles & many fell Victims to their Fury in the Camp they found 5 pieces Brass Cannon, 3 of 6 & 2 of 4 pounds 1 4½ Mortar & 2 paturaros, all Brass & mounted for field Service with these they took all the Arms, Ammunition Provisions Cloathing entrenching Tools and Stores of every kind the Americans had in their Camp for the purpose of erecting Forts & remaining the ensuing Winter in the Indian Conutry, besides the Commanding Officer, the Adjt Genl & Surgeon Genl, Twelve hundred are said to have Fallen in the Assaults & pursuits—you however know the Indians, most probably this Number is exaggerated we do not hear of one prisoner—about 50 of the Indians are said to be killed & wounded the Numbers at first were American Regulars 1500, Militia 800 in all 2300—of Indians nearly 2000 Two Forts they had erected on their Rout nam'd Hamilton & Jefferson are said to be surrounded by the Indians they contain 100 Men each with but little provisions, the truth of this information may be depended on Simon Girty if no in the action was within view of it He had join'd Coll McGee at the foot of the Rapids) brought the American Orderly Books & all their papers—Butler's Scalp was brought in & is sent they say to Joseph Brant with a severe Sarcasm for his not being there—He is at the grand River with the Six Nations—Cowan in the Felicity was dispatch'd with the interesting intelligence I saw him yesterday at Fort Erie—He left your Brother well on the 14th who had sometime before hurt his arm and was not yet able to write, an Express is now getting ready for Quebec finding an opportunity I send this by New York Humanity shudders at the number of poor wretches who have fallen in this Business but as they were clearly the agressors, they merit less pity the horrible Cruelties that may probably now fall on the defenceless Frontiers of the Western

American Settlements, is infinitely more dreadful & claims from every person who can feel as a man, every preventative that can be devis'd, I have this morning wrote to our Friend Mr Askin strongly pressing him to join the Trade in inspiring the Indians with moderation The Americans must be severely hurt at this Blow, however willing to resent it they will find great difficulty in raising another Army for this Service They would probably listen to any Reasonable Terms of accomodation, if they saw a prospect of its being establish'd on solid Grounds perhaps this can only be affected by the influence of the British Government & Trade with the Indians—The Terms the Indians ask'd were, that the Ohio shou'd be establish'd as the Boundary to the American Settlements, & that they shou'd enjoy unmolested their hunting Grounds to the West & North of that River some of the Branches of the Ohio to the Southward of this come within a few Miles of the Genesea River which runs into Lake Ontario Sixty Miles East from the Fort of Niagara—If these two Rivers by the interposition of Government cou'd be fix'd as the Boundaries between the Americans and Indians, & between them & us, we shou'd secure our Posts, the Trade & the Tranquility of the Country; you will know that the present lines must furnish a source of constant Contention & dispute—The others now propos'd being on Streams not navigable will be free from this the Indians not having as yet sold their Country between this & the Genesea nor does any of the American Settlements extend to the West of that River, but they very soon will—I wish our Peacemakers of 83 had but known a little more of this Country I wish our present Ministry were informed of the actual situation—perhaps this is the important moment in which the unfortunate terms of that Peace may be alter'd—Perhaps this moment may never return—

Allow me to call on you and Mr T———[1] and our other Friends sincerely to consider this & believe me to be &c

(Q 57 1, pp 178-81)

The proceedings of the Land Board in the course of the winter and the progress of surveys are narrated in the following extracts from the minutes and the letters from and to the Deputy Surveyor General

PROCEEDINGS OF LAND BOARD

"Land Board, Nassau 5th December 1791

"Present Lieutenant Colonel Butler, Robt Hamilton, John Burch, Robt Kerr, Jno McNabb Esquires Lieutenant Pilkington, Royal Engineers

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[1] Probably Isaac Todd

"The Board direct the Surveyor not to extend the Town of Lenox further back than one mile from the bank of the River, the line to run South thirty degrees West. The choices for Town lots were drawn for from No 1 to 84, inclusive Adjourned."

PROCEEDINGS OF LAND BOARD

"Lenox, 12th December, 1791

"Present Lieutenant Colonel Butler, Robt Hamilton, Benjamin Pawling Robt Kerr, John Burch, John McNabb, Esquires

"The Board, having met, proceeded in granting tickets for choices of Town lots and directed that all lots that have been cleared should be paid for before they were granted, at the rate of 25/ per acre. for the purpose of defraying part of the expence of the Jail or other Public Buildings Adjourned"

THE MEMORIAL OF COLONEL JOHN BUTLER

To His Excellency Lieut Governor Clarke, Major General and Commander in Chief of the Province of Quebec &c., &c., &c.

The Memorial of Lieut Colonel John Butler
Humbly Sheweth

That your Memorialist having early in the late troubles with America taken an active and decided part in favor of the Kings Government had his whole Estate real and personal, confiscated and sold some part of which was in Lands not Patented at the time he was oblidg'd to retire to this Province was therefore not included in the estimation of his losses given into the Commissioners for examining into the Loyalists Claims—tho' in equity his real Property—your memorialist on application to Lord Sidney in the year 1785 was refer'd to the Governor of this Province—and in the year 1787 laid his case before the Governor and Council at Quebec praying for such relief in vacant Crown Lands in this Province as to them should seem right—and was since informed that lands would have been granted him had the Place have been describ'd—

Your memorialist therefore now prays that he may be allowed to Locate Lands in the District of Nassau at the south-west corner of the Late purchase from the Missesagro Indians between Toronto and the Head of Lake Ontario, six miles on the Lake, and extending back twelve miles on the end of the purchase

And your memorialists as in Duty bound will ever pray &c., &c., &c.

JOHN BUTLER

Montreal 5th Septr., 1791

STATEMENTS OF LANDS ENCLOSED

Statement of Lands the property of Lieut Colonel Butler, and which has been confiscated and sold in the State of New York, but not included in the estimate given in by him to the commissioners for examining into Loyalists Claims—

In Jessops Patent	2000	acres
Fra Masons do	15000	"
Col Crohan's do	5000	"
ditto do at Lake Otsego	2000	"
John Glenn's do	2000	"
Glenn & Yates do	1000	"
Robt Mills do	600	"
	27600	acres

Montreal 7th Septr

EXTRACT FROM THE QUEBEC LAND BOOK

24th December 1791.

On Lieut Colonel Butlers petition

"Read a Report of the Land Committee dated 9th October, 1791 upon the petition of Lieut Colo Butler for Lands in Nassau in the following words

'To His Excellency Alured Clarke Esqr Lieutenant Governor and Commander in Chief of the Province of Quebec &c &c &c Major General Commanding His Majesty's Forces in America &c Report of the Land Committee (consisting of Messrs Finlay Collins & Grant) upon the Petition of Lieutenant Colonel Butler for the Lands in Nassau

"May it please your Excellency

"In obedience to your Excellency's Order of reference of Lieut Colo Butler's Petition of the 5th of September last, for a Grant of Land in the District of Nassau beginning at the South west corner of a late purchase made by the Crown from the Missisaga Indians lying between Toronto and the head of Lake Ontario six miles on the Lake extending back 12 miles, or to the end of the purchase to compensate him for the loss of 27000 Acres which he held in the Province of New York before the late War, but which have since been confiscated and sold, and were not included in an Estimate which he delivered in to the Commissioners for examining into the claims of Loyalists

"The Committee upon a former reference of a Petition from Lieut Colo Butler dated the 12th November 1787 praying for compensation for the Lands mentioned in his last Petition Reported the 28th Feby 1788 To His Excellency Lord Dorchester Stating that he valued these Lands at £5720 New York Money but the Committee considering that losses suffered by Loyalists in the late troubles in the Colonies now the United States could not be compensated by Grants of the Waste Lands of the Crown under His Majesty's Instructions at that time existing, did not advise His Lordship to grant the Prayer of Lieut Colo Butler's petition and as matters with respect to the Grants of Lands in this Province remain as they were at the time of this Committee's last Report on the same Subject they are humbly of opinion that his request cannot be complied with

'All which is nevertheless humbly submitted to your Excellency's great wisdom

(Signed) Hugh Finlay
in the Chair '

' Council Chamber
Bishop's Palace
' Quebec 9th Octr 1791

(Pp 311 12)

Proceedings of Land Board

"Land Board Nassau January 2nd 1792

"Present Lieutenant Colonel Butler Robt Hamilton John Burch Robt Kerr, John McNabb, Esquires

"Capt Hare [illegible] late of the 34th having made application for 15 lots of 200 acres each situated on the north side of Lake Ontario in this District beginning at the east corner of the Township of Hope and on the west corner of the Township of Hamilton The Board observe by the Instructions of 17th February 1789 ten lots in the corner of each township lying on the Lake were to be reserved agreeable to which they have it not in their power to grant the lots in the first concession They direct, however that those in the 2nd concession chose by him shall have his name inserted therein and he may apply his memorial for those in the first or cause others within the power of the Board to grant

From John Collins to Augustus Jones

Quebec, 23rd Jany 1792

Sir

I duly received your letter with the plans and accounts that accompanied it for which please accept of my thanks and I assure you that both your plans and accounts came in that regular manner that does you great honour and gave me great satisfaction

I beg that with all convenient speed you send me plans of your surveys made in the course of last Summer by order of my instructions of 22nd February, 1791 Colonel Simcoe the Governor of your Province is now with us I have taken the liberty to recommend you to him in the manner I think you merit and I cannot doubt but that you will be continued in your salary I have received from Government on your account £165.2.9 Currency of which I advanced you £50 and I have paid into the hands of Lester and Morrough £115.2.9 Currency, which is the full amount of your account I cannot say who will be your Surveyor General in future should it be your humble servant, you may command my ready and best services I am &c

JOHN COLLINS, D S G

Mr Augustus Jones

(District of Nassau Letter Book No 5 pp 57-8)

PROCEEDINGS OF LAND BOARD

"Land Board, Lenox 9th February, 1792

"Present Lieutenant Colonel Butler Robt Hamilton, John Birch, Robt Kerr John McNabb Esquires

"Several applications were laid before the Board from persons in the District of Mecklenburg for lands on the north side of Lake Ontario in this District one of which specifys a Mill Seat

"The Board having reference to their Instructions, find that they are restrained from granting Mill Seats and are of opinion that the creeks falling into that part are valuable for fishing &c, therefore direct that they shall not become private property whereby this natural advantage might be destroyed They, therefore reject those petitions and direct the Clerk to transmit a copy of this resolution to the Board at Kingston for the information of the applicants but that whenever a proper arrangements of those lands is made they shall then come in for lands according to the priority of their petitions

PROCEEDINGS OF LAND BOARD

"Land Board held at Niagara, 25th February, 1792

"Present Colonel Gordon, Commanding Upper Posts, President, Robert Hamilton, John Birch, John Warren, Robert Kerr, Esquires, Lieutenant Pilkington Royal Engineers

"The Board took into consideration the accounts transmitted by Mr Frey to the Surveyor General's Office, and sent up from thence for the inspection of the Board As these accounts are totally unaccompanied with any set of vouchers, the Board remit them to Mr Jones to procure in every individual charge the best vouchers he can get which the Board will take into their consideration and transmit to Head Quarters with their opinion thereon

"They recommend to Mr Jones to have this compleated with every dispatch in his power Adjourned"

FROM AUGUSTUS JONES TO JOHN COLLINS

Nassau, 26th Feby, 1792

Sir,

I am duly favoured with yours of the 23rd ulto., & think myself exceedingly happy in any degree to have merited your approbation; The commendations you bestow will I trust have the effect to make me exert myself to the utmost to deserve the continuation of your good opinion I send herewith the plans of my surveys made last summer on the north side of Lake Ontario on a scale of 80 chains to an inch —The field notes are too bulky to accompany this by express, but will send them per first opportunity in the Spring

Since my last letter to you I have been busily employed, making a survey of the town of Lenox, but the weather setting in very severe was obliged to stop proceeding in that business until a more favourable opportunity & when finished I shall have the honour of laying it before you

I am truly sensible and very thankful for your kind attention to my pecuniary matters and must take the liberty of soliciting the recovery of my pay from the 28th November 1789, to the 10th April, 1791 a Memorial on this subject I herewith transmit thro Mr Lester my Attorney to the Commander in chief accompanied by my account and the certificate of the Land Board, stating my appointment by them and my services

I observe by a copy of a Minute of the Committee of Quebec of the 19th December last that they look on me accountable for 542 rations of Provisions issued at this place to the surveying party between the 24th Decr, 1790 and the 24th April, 1791, when employed in the survey of the Indian Lines on the Grand River Will you have the goodness to state to them, that those provisions were issued to the people employed on actual service exclusive of the two shillings and six pence currency pr day as this service was peculiarly hard at that inclement season of the year as stated by the certificate of the Land Board which accompanied that account

If I am so fortunate as to retain my present place under the new Government I shall owe it entirely to your obliging recommendation for which I shall be ever thankful & I shall doubly esteem my appointment should you be at the head of the Department

I have the honor to be &c

AUGUSTUS JONES

Honble John Collins
Dy Surveyor General
Quebec

(District of Nassau Letter Book No 5 pp 59-60)

The arrival of Colonel John Graves Simcoe at the city of Quebec was known in Niagara early in January for on the fourth of that month Robert Hamilton wrote a long letter to him on public affairs Afterwards in conjunction with Colonel Butler his colleague in the court of Common Pleas Quarter Sessions and the Land Board he prepared an address of welcome which was signed by many of the inhabitants in the vicinity and duly forwarded

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FROM JOHN BUTLER AND ROBERT HAMILTON TO J G SIMCOE

Niagara Feby 27th 1792

Sir

At the request of the other Magistrates and of the most respectable settlers in this District we have the honor to present to you the enclosed address

It affords us the greater satisfaction as furnishing an opportunity of offering at the same time our own personal and unfeigned respects and of stating the promising prospects of the District in which we reside

Our last crops have been abundant to our utmost expectations and peace and plenty promise once more to reside among us

Our Courts of common Pleas and Quarter Sessions as established by His Excellency the Governor General continue till further directions to perform their usual Duties—From the attention of the Magistrates and from the peaceful deportment of the people but few causes of considerable consequence have ever come before us From our past decisions, we do not understand any appeal is intended, and we are happy in observing that at present we know of no cause remaining before us undetermined

If in this Quarter our personal Services can be in the smallest degree instrumental to your convenience nothing will afford us more satisfaction than in receiving your commands

With sincere respect we have the honor to be &c

JOHN BUTLER
R HAMILTON   Js C C pleas

J G Simcoe

(Q 278 pp 131 2)

ADDRESS TO LIEUT GOVERNOR SIMCOE

To The Honble John Graves Simcoe Lieutenant Governor of the Province of Upper Canada, &c &c , &c

May it please your Excellency

To permit the Magistrates and the Inhabitants of the District of Nassau to offer you their sincere congratulations on your appointment to the Government of Upper Canada and on the safe arrival of yourself and family in this Country

Established in this Quarter by the Munificence of the best of Sovereigns and supported by the bounty of the British Government—We are just emerging from the Indigence and obscurity which constantly surrounds new settlements—Our possessions are now becoming of Value and plenty once more begins to shew her Face among us

The having these possessions confirmed to us by regular deeds The having our property secured to us by good and equitable Laws and the having these established and enforced by the Wisdom of our Government, affords us the most promising hopes of future success

For these manifold blessings we trust our Gratitude will be best shewn by our unalterable Loyalty to our King and to his Government by our unremitting Industry and peaceable demeanour as his Subjects

To Fatherly care of his Excellency The Governor General and to the fostering hand of his Council The new Settlements owe in a great measure the rapid progress They have made in so short a time, for these our grateful thanks are due and we wish to express that tho' now seperated nothing will give us so much real satisfaction as constantly joining our zealous endeavours to Theirs in promoting the general good of the whole Country

Our warmest wishes & sincere prayers are constantly offer'd for you and yours

John Butler
R Hamilton
Jno Burch
Jno Warren
Jacob Ball
Robt Kerr
Jno McNabb
P Ball
Ral Clench
Jas Muirhead
Colin McNabb
B Brady
Geo Forsyth
Jo Ball
G Ball
D Servos
P Ten Broeck
Peter Bradt
Roger Bradt
Augt Jones
Ben Caulay (Canby?)
Jacob Ten Broeck
Geo Lawe
Adam Vrooman
Isaac Vrooman
Phil Buck
Peter McMachan
Thos Butler
Willm Dickson
W Johnson
J. W. Crooks
Archd Cunningham
J Edwards
Jo P Clement
Jos p Clement
W. B Sheehan
John Powell
Jacob Servos
Ben Pawling
Jesse Pawling
Robt Nellis
Andrew Bradt
Nathl Petit
Wm Dunbar
Thos McMicking
Donald Rosse
Geo Chisholm
David Seacord
Peter Seacord
Jacob Jeridick
Robt Campbell
John Hainer
John Reid
John McEwan

Niagara 24th Feby, 1792

Endorsed—In Lt Govr Simcoe's of
28 Augt 1792

(Q 278 pp 133-5)

Proceedings of Land Board

"Land Board Lenox, 5th March, 1792

"Present Lieutenant Colonel John Butler Robert Hamilton, John Burch John McNabb, Robert Kerr, Esquires, Lieutenant Pilkington, Royal Engineers

"Several petitions were presented and read at the Board praying for grant of lands on the North Side of the Lake, in the Township of Dublin and neighbourhood of Toronto The Board defer granting these lands and ordered the petitions to remain untill it is known what reservations Government may think proper to make, after which those who applied first will be preferred

"The Board proceeded to grant certificates of location to such of the Settlers as attended and agreed to meet on every Monday at 10 o clock for the despatch of business Adjourned

An enquiry having been directed into the validity of the purchase of lands by Oliver Phelps from the Indians in May, 1788 Brant and Butler had been involved the following deposition was made by the Reverend Samuel Kirkland apparently at the desire of the purchaser

Deposition of the Reverend Samuel Kirkland

City of Philadelphia Pennsylvania SS

This fifth day of May in the year of our Lord one thousand seven hundred and ninety two before me Clement Biddle esquire notary public of the city of Philadelphia in the common wealth aforesaid appeared the reverend Samuel Kirkland missionary to the Oneida nation of Indians and being of full age did, on his solemn oath, depose and say that in the month of May in the year of our Lord one thousand seven hundred and eighty eight he was appointed by the governor of the commonwealth of Massachusetts to superintend a purchase to be made by Oliver Phelps esquire from the five nations of Indians of the lands ceded to the said commonwealth of Massachusetts by the state of New York that in the month of June in the same year, he, this deponent accompanied the said Oliver Phelps for the purpose aforesaid into that country, where they were met by several principal chiefs of the said nations at Kanandasago, who invited and conducted the said Oliver Phelps and his deponent to their council fire at Buffaloe creek That the said Oliver Phelps and his deponent were there met in full council by all the principal chiefs and warriors of the five nations, that after several days were spent in agreeing on the quantity and boundaries of the land to be sold and conveyed by them to the said Oliver Phelps the same were unanimously agreed on, that the said Oliver Phelps then enquired of them what price or compensation he must make them for the said lands and they answered him, that they were willing to part with them at the same price in proportion to the quantity as they had leased the whole country for to the Yorkers—to this captain Brant, as Indian chief objected and said he thought they should have as much for the lands now sold to Mr Phelps, and the Yorkers, as they had formerly leased the whole country for to the Yorkers To the terms proposed by captain Brant, the said Mr Phelps consented, and it was then and there agreed that captain Brant, colonel Butler, and this deponent, should apportion the price accordingly, and determine what sum should be given by him, the said Phelps, and what sum by the Yorkers, who at this time purchased, so as to be equal to what the Yorkers had formerly agreed to give for the whole country including that part of it which the Indians at this time reserved to themselves, that the said captain Brant colonel Butler, and this deponent having been agreed in as aforesaid with the unanimous consent of the same Oliver Phelps and the said Indian chiefs and warriors they proceeded to fix the said proportion and the price agreed to be given by the said Oliver Phelps for the lands agreed to be purchased by him as aforesaid and unanimously fixed the same at the price, or sum of five thousand dollars to be paid annually, and every year, forever; that these terms were agreed to by the said Oliver Phelps, and by all the said principal chiefs and warriors; that an instrument of conveyance for the said land so as aforesaid purchased by the said Mr Phelps, was then drawn up and prepared bearing date the fourth day of July one thousand seven hundred and eighty-eight and also two other instruments of writing for securing the payment of the said price or consideration money so as aforesaid agreed to be given, that the said instruments of writing were severally fully, and clearly interpreted to the said Indian chiefs and warriors, in full council by this deponent Mr Dean and captain Brant in the presence of several gentlemen who understood the Indian language and after being well understood by them, and unanimously agreed to, were duly signed sealed, and delivered, that the whole business was fairly conducted, with great harmony without any threats of any kind being used by the said Mr Phelps, and this to the contrary suggested, and finally that this deponent hath at all times since found the chiefs and warriors of the said five nations (captain Obiel only excepted) to speak in a friendly manner of the said Mr Phelps and favourably of his conduct, and further this deponent saith not

SAMUEL KIRKLAND, Missionary

Sworn this 5th of May 1792 before me
Quod attestor
CLEMENT BIDDLE notary public

FROM AUGUSTUS JONES TO JOHN COLLINS

Nassau 15th June, 1702

Sir,

Inclosed is a charge of expences incurred at surveying of Lenox, &c, including the last six months amounting in all to eighty-six pounds, thirteen shillings and a half penny currency, accompanied with the necessary vouchers which I trust you will find right, and must beg of your interest in settling the same

A plan of the town of Lenox according to the survey, I herewith transmit it does not extend so far back as our former one proposed owing to Colonel Butler and some others who live in rear of and refuse giving up their possessions in consequence of which the Land Board directed me (for the Present) to extend the survey only one mile back from the river bank a copy of which accompanies this The field notes thereof as well as the survey on the north shore of the Lake I am now making out and will send by the first opportunity

Your order of the 10th June 1791 for the land at Toronto in favour of Mr Rochblave and others I only received the other day and as the members of the Land Board think their power dissolved by our Governor's late Proclamation relative to granting of lands in Upper Canada they recommend it to me to postpone doing in respect of said order until I may receive some further instructions

I am &c

AUGUSTUS JONES D P S

Honble John Collins, Esqr D S G
Quebec

(District of Nassau Letter Book No 5 p 65)

As the Deputy Surveyor General had informed Lieut Governor Simcoe of the existence of a salt spring near the Fifteen Mile Creek in what is now the township of Louth one of his first official acts after assuming office was to order an analysis to be made of the quality of the water

FROM THOMAS TALBOT TO AUGUSTUS JONES

Kingston July 9th 1792

Sir,

It being necessary for the public service that an analysis should be made of a Salt Spring reported by the Deputy Surveyor General to be near Niagara His Excellency Lieutenant Governor Simcoe has directed Mr McDonell to proceed immediately to analyse its quality he will receive particular instructions for this purpose

At the same time his Excellency thinks it proper for various reasons that a Deputy Surveyor should accompany him I must therefore beg that you will immediately proceed with Mr McDonell to the object of this mission

You will be pleased to note down as particular as possible the nature of the soil and the country you pass through and any observations that may be serviceable to his Majesty's Government you will communicate in writing.

The mode of Conveyance must depend entirely upon you and in the hiring of boats, axe-men, &c, you must use the utmost economy

You will repair to your customary duties as soon as this expedition shall be over and be ready to report to his Excellency as soon as he shall arrive at Niagara

I am &c

Thomas Talbot, Secretary

To Mr Jones Depy Surveyor
Niagara

(District of Nassau Letter Book No 5 p 66)

Soon after his arrival at Niagara he took measures to ascertain and mark the correct boundary line of the lands purchased from the Mississaugas by the treaty of 22 May, 1784 and this boundary was duly confirmed by a new treaty on the 7th December 1792

From Thomas Talbot to Augustus Jones

Navy Hall, Sept. 4th, 1792

Sir,

You are hereby directed to engage ten chain-bearers and axe men on the most reasonable terms they can be had not exceeding if possible, one shilling and six pence Per day Currency each man with an allowance of one shilling and three pence per day to yourself and party for provisions

And immediately proceed with all diligence to survey and mark a boundary line, commencing at the outlet of Burlington Bay, thence a north course 45 d—— to the westward until you strike the Heads or Sources of the River La Tranche now the Thames, however after having proceeded on your said line as far as you may conceive the distance ought to fall on the said Sources and not having met with them you will branch off from the said boundary line with such Offsets as may compleat a semicircle with four or five radii till you mett the Heads of the said River La Tranche now the Thames, which you will ascertain by following the said sources or waters till you are well assured you have hit the said River, after which you will return to Niagara, having regard in other matters, minutes and journals to the general and existing instructions which you may heretofore have had from the Surveyor General's Office

THOMAS TALBOT, Secretary.

Mr A. Jones, D.S.

(District of Nassau Letter Book No. 5, p. 73.)

TREATY WITH MISSISSAUGAS

J Graves Simcoe

THIS INDENTURE made at Navy Hall in the County of Lincoln in the Province of Upper Canada on the Seventh day of December in the year of our Lord One thousand Seven Hundred and Ninety Two BETWEEN Wabakanyne Wabamp Kautabus, Wabanship and Mattatow—on the one part AND our Sovereign Lord GEORGE the third by the Grace of God of Great Britain France and Ireland King Defender of the faith &c &c on the other part WHEREAS by a certain Indenture bearing date the Twenty second day of May in the year of our Lord One Thousand Seven Hundred and Eighty four made between Wabakanyne, Nannibosure, Poquan Nanayhawestrawi Papamaw Tabendaw Sawainchik, Peasamish Wapamaichugun Wapeanojhqua Sachems War Chiefs and principal women of the Messissague Indian Nation on the one part and our said Sovereign Lord George the Third King of Great Britain France and Ireland of the other part It was Witnessed that the said Wabakanyne and the said principal Chiefs and women above named for and in Consideration of the Sum of Eleven Hundred and Eighty pounds Seven Shillings and four pence of lawful money of Great Britain to them the said Wabakanyne, Sachems War Chiefs, and principal women in hand well and truly paid did grant bargain sell alien release and confirm unto his said Majesty his Heirs and Successors all that tract or parcell of Land lying and being between the Lakes Ontario and Erie beginning at Lake Ontario four Miles South Westerly from the point opposite to Niagara fort known by the name of Messissague Point and running from thence along the said Lake to the Creek that flows from a small Lake into the said Lake Ontario known by the name of Washquarter, from thence a North Westerly course until it strikes the River La Tranche or New River thence down the Stream of the said River to the part or place where a due South course will lead to the mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid River La Tranche following the South course to the mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the nation of Messissague Indians and from thence along the said

Purchase to Lake Ontario at the place of beginning above mentioned together with the Woods, Ways, paths, Waters Water courses and appurtenances to the said tract or parcell of Land belonging To have and to hold unto our said Sovereign Lord the King his Heirs and Successors for Eve. as in and by the said Indenture will more fully and at large appear AND WHEREAS at the time of executing the said Indenture the boundaries of the said parcell of Land were on one side described by an imaginary line running from the small Lake Washquarter in a North West Course until it strikes the River but from an actual Survey it has been discovered that a line from the said Lake Washquarter carried on a North Westerly course will not strike the said River La Tranche And Whereas it is necessary and expedient that the boundary lines of the said Parcell of Land sho'd be more accurately laid down and described NOW this Indenture Witnesseth and the Wabakanyne, Wabanip Kautabus, Wabanship and Mattatow do hereby acknowledge and declare that the true and real description of the said tract or parcel of Land is bargained sold aliened and transferred by and to the parties aforesaid is all that tract or parcel of Land lying and being between the Lake Ontario and Erie beginning at Lake Ontario four miles South Westerly from the point opposite to Niagara fort known by the name of Messissague point and running from thence along the said Lake to the Creek that falls from a small Lake known by the name of Washquarter into the said Lake Ontario and from thence North Forty five degrees West fifty Miles thence South forty five degrees West Twenty Miles and thence South until it strikes the River La Tranche then down the Stream of the said River to that part or place where a due South Course will lead to the Mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid River La Tranche following the South Course to the mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the said Nation of Messissague Indians and from thence along the said purchase to Lake Ontario at the place of beginning as above mentioned together with all the Woods Ways paths Waters watercourses and appurtenances thereunto belonging AND therefore the said Wabakanyne Wabamp. Kautabus Wabanship and Mattatow for and in consideration of the said Sum so advanced as aforesaid and for the further consideration of five shillings of lawful money of Great Britain to them the said Wabakanyne Wabamp, Kautabus. Wabanship and Mattatow in hand duly paid at and before the sealing and delivery of these presents and for the better ratifying and confirming of the heretofore recited Indenture have granted bargained sold and confirmed and by these presents do grant bargain sell and confirm to his Britannick Majesty his Heirs and Successors ALL that tract or parcell of

Land lying and being between the Lakes Ontario and Erie beginning at Lake Ontario four Miles South Westerly from the point opposite to Niagara fort known by the name of Messissague point and running from thence along the said Lake to the Creek that falls from a small Lake known by the name of Washquarter into the said Lake Ontario and from thence North Forty five degrees West fifty Miles thence South forty five degrees West twenty Miles and thence South until it strikes the River La Tranche then down the stream of the said River to that part or place where a due South Course will lead to the mouth of Cat Fish Creek emptying into Lake Erie and from the above mentioned part or place of the aforesaid La Tranche following the South Course to the Mouth of the said Cat Fish Creek thence down Lake Erie to the Lands heretofore purchased from the nation of Messissague Indians and from thence along the said purchase to Lake Ontario at the place [of] beginning as above mentioned together with all the Woods Ways paths Waters Watercourses and appurtenances thereunto belonging To have and to hold all and singular the said Tract or parcel of Land with its appurtenances unto his Britannick Majesty his Heirs and Successors for Ever AND WHEREAS at a conference held by John Collins and William R Crawford, Esqre with the principal Chiefs of the Messissague Nation Mr John Russeau, Interpreter it was unanimously agreed that the King sho'd have a right to make roads thro' the Messissague Country that the Navigation of the said Rivers and Lakes shall be open and free for his Vessels and those of his Subjects, that the King's Subjects sho'd carry on a free trade unmolested in and thro' the Country NOW this Indenture doth hereby ratify and confirm the said conference and agreement had between the parties aforesaid giving and granting to his said Majesty a power and right to make roads thro' the said Messissague Country together with the Navigation of the said Rivers and Lakes for his Vessels and those of his subjects trading thereon free and unmolested IN WITNESS whereof the Chiefs on the part of the Messissague Nation And His Excellency John Graves Simcoe, Esqr Lieutenant Governor of the said province &c &c &s on the part of his Britannick Majesty have hereunto set their hands and Seals the day and year first above written in the presence of

JOHN L S BUTLER	totem		WABAKANYNE
R— L S HAMILTON	totem		WABANIP
ROBT L S KERR	totem		KAUTABUS
PETER L S RUSSELL	totem		WABANINSHIP
JOHN L S MCGILL	totem	L S	MATTOTOW
DAVID WILLIAM SMITH		L S	
		L S	J GRAVES SIMCOE

Endorsed—Dated the 7th Decr. 1792

The Messissague
Nation
to
His Britannick
Majesty

Deed of ffeofment

N

"Ducit, Amor Patriae" B

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake, Ontario

No. 42

RECORDS OF NIAGARA in the days of Commodore Grant and Lieut.-Governor Gore

1805 - 1811

Collected and Edited
by
BRIG. GENERAL E. A. CRUIKSHANK

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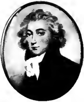
1931



CAPTAIN WILLIAM CLAUS
(Aged 27)
Superintendent General
Indian Affairs
1805—1826

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No. 42

1805 - 1811

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RECORDS OF NIAGARA

1805-1811

The sudden death of Lieut. Governor Hunter at Quebec on 21st August, 1805, left the government of Upper Canada without a chief as he had steadily refused to nominate an administrator during his absence in the Lower Province. News of his death was received at York about ten days later. When Simcoe applied for leave of absence on the 1st of December, 1795, he had recommended Hon. Peter Russell as the senior Executive Counsellor (not a Roman Catholick) for appointment as administrator and his recommendation had been approved. He called the members of the Council residing at York together at once, expecting to be recognized as president, but to his great surprise and disappointment found that Chief Justice Allcock announced his opinion that Alexander Grant, whose name preceded that of Russell in the list of Executive Councillors named in the royal instructions, was the senior, although Russell had taken the oath before him. The other members of the council concurred and Russell reluctantly assented, but did not conceal his discontent at being required to act in a subordinate position to that which he had formerly held. As Grant was then senior naval officer on Lake Erie and lived at Amherstburg, a message was sent to him to come to York and administer the affairs of the province. When Hunter's death became known in England, little time was lost in appointing Francis Gore, then governor of Bermuda, to succeed him as Lieutenant Governor of Upper Canada. His commission was dated on the 22nd of January but he did not assume the administration until the 25th of August following

Grant s term of office consequently lasted a little less than a year He seems to have carefully consulted the council in all matters of the least importance and Russell generally took the chair as presiding councillor The chief justice was soon after transferred to Lower Canada and Justice Thorpe who had recently been transferred to Upper Canada from Prince Edward Island began to intrigue and make complaints to the Colonial Office stating that there was no governor no general no bishop and no chief justice in the province and owing to a cabal the Council had selected a man to act as administrator who did not appear to be the oldest member and was inefficient Both he and Justice William Dummer Powell who was his senior applied for the vacant office of chief justice There was a noticeable lack of good feeling amoung the chief officals The following petition shows that the act regulating the sale of spirituous liquor had caused some local discontent

THE PETITION OF LANTY SHANNON AND OTHERS

To the Honorable Provincial
Parliament of Upper Canada

We the subscribers Inhabitants of the said Province and faithful subjects to His Majesty and at all times ready and willing to support the operative laws in his Dominions and being possessed of that inalienable right of free men to make known to our law makers and rulers such grievances as we may think we labour under do beg leave under mature consideration and confidence of the truth and propriety thereof to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is not so happily calculated as in our opinion may be for the general good of His Majesty s subjects for many are under a necessity at times for some of this liquor but either for want of abilities or from principles of prudence are prevented from receiving those comforts of the country to which their hand labour entitles them

We beg leave further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon as in our opinion few retailers or inn keepers would have any objection to an alteration of said law

The limits of this Petition will not give an opportunity to state all the reasons in support thereof which will actually be in your possession

We therefore most humbly pray that Your Honors would take this subject into your wise consideration and repeal said law in such a manner that the distillers may sell one gallon or otherwise order and direct so that the law touching the same may be as all laws should be for the general benefit of the public weal and as in duty bound we shall ever pray

LANTY SHANNON Inn keeper
EZEKIEL WOODRUFF
SAM L VAN WICK Inn Keeper
JOHN FRALICK
his
JOHN X CAMP
mark
and fifty six others

The promoters of this petition were residents of the township of Stamford of which Ezekiel Woodruff was clerk continuously from 1797 until 1819 This petition and the one following are undated but were read in the Legislative Assembly on the 12th February 1805

Another petition from residents of the townships near the head of Lake Ontario voiced what seems to be well founded dissatisfaction at the administration of the act for the improvement of public roads

THE PETITION OF INHABITANTS OF THE DISTRICT OF NIAGARA

To the Honorable the Legislative Council and House
of Assembly for the Province of Upper Canada

Humbly prays

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and roads throughout this Province and make such alterations or amendments to the same as to them in their wisdom may appear meet Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads and nothing mandatory or compulsory on them to act when required and as it would be unfair that those gentlemen who do sacrifice much of their time to their duty as Justices should be forced to leave their homes for days in acting as Commissioners without an adequate allowance being made them for their trouble and expense and as many of those gentlemen would probably not wish to act in the line of Commissioners

Your Petitioners are therefore of the opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be

overseers or Commissioners of the Highways in each and every District and that an allowance should be made them from the different District Treasurers to be raised by a tax for that immediate purpose making it compulsory on them on all occasions when thereto required to lay out alter or amend any road or roads throughout their respective District or Division However all this is submitted to the Honorable the Legislature for their consideration which Your Petitioners pray may meet with due and mature deliberation

And your Petitioners as in duty bound will ever pray
JOHN PETTIT
LEVI LEWIS
RICHARD GRIFFIN
WM KENNEDY SMITH
and fifteen others

John Pettit resided in Saltfleet Richard Griffin in Grimsby and William Kennedy Smith in Blenheim Levi Lewis was elected one of the members of the Legislative Assembly to represent the first riding of Lincoln and the county of Haldimand at the general election in 1808

The removal of the offices of the provincial government from Niagara to York had diminished the importance of the town but it still continued to be the headquarters of the officers commanding the troops and Fort George was the principal military post in the province From 1796 until the end of August 1802 the garrisons of the frontier posts were furnished by the second battalion of the Royal Canadian Volunteers They were then taken over by the 49th Regiment commanded by Lieutenant Colonel Brock which a few years later was relieved by the 41st under Lieutenant Colonel Henry Procter succeeded in turn by the 100th temporarily under command of Major Christopher Hamilton William Claus had succeeded Alexander McKee as deputy superintendent general of Indian affairs and continued to reside at Niagara where councils with the Six Nations and Missassaugas were some times held

Small detachments of soldiers were stationed at Queenston Chippawa and Fort Erie for the protection of stores and to conduct their transportation between the lakes

Some letters from Hon Robert Hamilton to his father-in-law, John Askin of Strabane near Sandwich have been preserved and contain some information of historical interest

FROM ROBERT HAMILTON TO JOHN ASKIN

Dear Sir

This will be handed to you by your Grandson Robert, my eldest boy[1] now on his Way to Mackinac to spend a year and live with my kinsman, Robert Dickson

You Will perhaps be surprised at my sending my eldest son into that Country but the young Man Wishes it—And I do think the field a very fine and certainly a very large one for Mercantile Speculation—He may remain a few days at your place until a vessell shall sail for Mackinac and in directing him to make your house his head Quarters I am convinced I do not exceed in using freedom with you—

Mrs Hamilton requests to join me in best respects to Mrs Askin & all your pleasant family

I am Dear Sir
yours very sincerely
R HAMILTON

John Askin Esqr

Queenston May 16 1805
(Askin Papers Canadian Archives)

The preface to a book rather cumbrously entitled Travels through the Canadas containing a Description of the Picturesque Scenery on some of the Rivers and Lakes with an account of the Productions Commerce and Inhabitants of those Provinces to which is subjoined a Comparative View of the Manners and Customs of several of the Indian Nations of North and South America By George Heriot Deputy Post Master General of British North America Illustrated with a Map and Numerous Engravings from Drawings made at the Several Places by the Author' is dated at Quebec on 26th August 1806 His visit to Upper Canada appears to have been made about a year before and a handsome quarto edition of his book was published in London in 1807

His description of what he saw of the Niagara District is fairly full and interesting as he was a careful observer

On the western bank about a mile higher up the British fort is situated on ground several feet higher than the last [Fort Niagara] It is likewise constructed of earth and cedar pickets, and the buildings contained in it are executed with much neatness taste and accomodation On the border of the river and beneath the fort there are several buildings consisting of store houses and barracks one of which is called Navy Hall and is contiguous to a wharf where vessels load and unload A swamp in the vicinity becomes at particular seasons from the stagnated vapours exhaled from it prejudicial to the health of those whose residence is by the river and sometimes to that of the troops in the garrison A plain whose extent in every direction is nearly a mile intervenes between the town of Niagara and Fort George the name of the fortress already described The houses are in general composed of wood and have a neat and clean appearance their present number may amount to near two hundred The streets are spacious and laid out at right angles to each other so that the town when completed will be healthful and airy On Missisague Point, which is on the west side of the mouth of the river a lighthouse for the guidance of vessels which navigate the lake has lately been erected Near this point white fish and black bass are caught in great numbers

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[1] Born at Fort Niagara in 1787 member of the Legislative Assembly for the third riding of Lincoln 1820 1824 died in 1856.

In proceeding from the town of Niagara to the southward along the banks of the great river many attractions combine to present pleasure and amusement to the mind of the observant traveller The soil the variety of situation and the improvements of that part of the country seem to surpass every impression which information alone might produce in its favour The population is already considerable and is rapidly augmenting Families from the United States are daily coming into the province bringing with them their stock and utensils of husbandry in order to establish themselves on new lands invited by the exuberance of the soil the mildness of the government and an almost total exemption from taxes These people either purchase lands from the British subjects to whom they have been granted or take them upon lease paying the rent by a certain portion of the produce

Many farmers from the neighbouring states who are wealthy procure grants of their own and taking the oaths of allegiance become subjects of the crown of Great Britain

Men born and educated in the northern states of America are of the greatest utility in the settlement of a new country as they are endowed with a spirit for adventure activity industry and perseverance rarely to be equalled Nor are they deficient in the power of inventive faculty particularly when applied to mechanical objects In travelling the waggon is by many made to serve the end not only of a house during the journey but likewise of a vessel to cross the rivers which are not fordable The seams of the body are secured against the admission of water and when applied to the latter purpose the wheels are taken off, it is conducted by rowing to the opposite shore and the horses and cattle are made to follow it by swimming The settlers who bring into the province the largest property in money and stock generally come from the back parts of Virginia and even from the Carolinas

In the use of the axe the Americans display uncommon

dexterity and hew down the largest trees of the forests with admirable address and expedition Retaining no attachment for any particular situation an American farmer who is not of the first class will sell his lands, after having cleared and brought them to a state of cultivation if he can procure for them a reasonable profit for his toils He then decamps launches into the woods in quest of a new possession and erects another habitation

The immense tracts of woods filled with oak timber which every where present themselves are certain indications of the fertility of the soil The common produce of the fields is in general from thirty to forty for one in wheat or any other grain and portions of land which have for upwards of sixteen successive years yielded their harvest without the aid of manure with forty to one to reward the industry of the husbandman

The winters in this part of the country are inconsiderable either for duration or severity the snow seldom remains on the ground for a longer period than five or six weeks.

About the year 1800 before the means of transport to the lower province became facilitated and improved the inhabitants were at a loss to dispose of the produce of their farms Since that period many thousand barrels of flour quantities of salted beef and pork butter and cheese pot ash, and numbers of live cattle have annually been conveyed to Lower Canada through the rapids and cascades of the Saint Lawrence upon rafts of timber containing from five hundred to eight hundred barrels each and upon scows a superior species of raft constructed of plank without receiving from the waters any material injury The conducting of that mode of transport although at first difficult and unwieldy has now become more familiar and immense quantities of produce continue to flow every year into the lower province

There are attached to settlements on the borders of the Saint Lawrence advantages of transport superior to those of any inland country in America The soil is unquestionably of the first quality and is sufficiently varied by swells and ridges to take off that sameness of effect which would result from a dead level country Winter wheat is produced with the greatest certainty The grain is heavier and more plump than any that is raised in the territories of the United States except such as border upon this immense river Grass is very natural to this country and cattle fatten in summer upon the wild growth Hemp and flax are produced in great perfection The timber consists of oak pine in all its varieties sugar and curled maple beech basswood hickory black and white ash sassa fras black and white birch elm walnut-tree butternut-tree cherry-tree and a variety of other woods

The winter season is employed by the farmer in making staves for casks squaring timber or preparing plank and boards all of which may be disposed of to advantage in Montreal In the spring the timber is formed into rafts which are loaded with produce and conducted down the river with great certainty at any period during the summer season without the inconvenience of waiting for a freshet or an increase of water by rains which can have but small influence on so vast a body of water This circumstance alone adds value to the establishments on its borders for on all other rivers except those of the first magnitude they who mean to conduct rafts down their streams are compelled to be ready at the moment of a swell of the waters and if they be so unfortunate as not to be prepared an opportunity of carrying to market the productions of their farms becomes lost to them for the whole year it likewise not infrequently happens with many rivers that the spring freshets are not sufficiently high to render it safe to venture down them The farmer on the Saint Lawrence is assured he can send a barrel of flour for four shillings and a barrel of potash for eight shillings to the ship which comes from Europe

In many branches of husbandry the settlers of this country seem to display a superior degree of skill and fields of corn are here to be seen as luxuriant and fine as in any part of the universe

The mode of commencing a settlement is by cutting down the smaller wood and some of the large trees collecting them into heaps and burning them Some of the remaining trees are girdled by cutting a groove all around through the bark to impede the sap from mounting and thus deprived of nourishment the branches cease to grow and the leaves decay and fall to the ground After passing a harrow over the soil in order to turn it up the grain is sown the harrow is again used and thus left without any further trouble the newly cleared ground yields a copious increase

A stranger is here struck with sentiments of regret on viewing the numbers of fine oak trees which are daily consumed by fire in preparing the lands for cultivation

The houses with few exceptions are here constructed of wood but with a degree of neatness and taste for which we might look in vain among the more ancient settlements of the lower province

The improvements of every description in which for a few years past the province has been rapidly advancing have in some situations divested it of the appearance of a new settled colony and made it assume the garb of wealth and of long established culture The roads in the settled part of the country are in the summer season remarkably fine and two stage-coaches run daily between Niagara and Chippawa or Fort Welland a distance of eighteen miles.

The scenery from Niagara to Queenstown is highly pleasing the road leading along the summit of the banks of one of the most magnificent rivers in the universe and on ascending the mountain which is rather a sudden elevation from one immense plain to another where the river becomes lost to the view the traveller proceeds through a forest of oak trees until he becomes surprised and his attention is arrested by the falls presented to the eye through openings now cut in the woods on the steep banks by which they are confined

Queenstown is a neat and flourishing place distinguished by the beauty and grandeur of its situation Here all the merchandise and stores for the upper part of the province are landed (from the vessels in which they have been conveyed from Kingston) and transported in waggons to Chippawa a distance of ten miles the falls and the rapid and broken course of the river rendering the navigation impracticable for that space Between Niagara and Queenstown the river affords in every part a noble harbour for vessels the water being deep the stream not too powerful the anchorage good and the banks on either side of considerable altitude

The mountain already noticed is formed by the land assuming a sudden acclivity of upwards of three hundred feet from one horizontal plain to another and extends from east to west for a considerable way the river holding its course through its center and cutting it asunder The perpendicular banks on either side are near four hundred feet in height from the level of the water below to their summit Their strata are similar not only in altitudes but in substance A little way below the bank on which the town is placed there is a spot rising about twenty feet from the side of the river upon whose surface a quantity of stones is placed which appears to have been deposited there for a series of years and which have been evidently formed in currents of water

Since the settlement of the country the river has not been perceived to rise to that height These circumstances seem to afford probable ground for conjecture that the stream which now flows through the deep chasm of the mountain did at some former period throw itself from near the summit and after sweeping away the rocks and soil form its present profound and rugged channel extending upwards of nine miles from the precipice whence the wide and stupendous flood continues now to fall

In tracing the course of the river higher up from Queenstown many singular and romantic scenes are exhibited the whirlpool, which is about four miles from that place is a basin formed by the current in the midst of lofty precipices clothed with woods. Previous to its entering this bay the stream drives with awful roar its broken interrupted waters over a sudden slope upwards of fifty feet in height and thus proceeds foaming past the bed it afterwards takes which being around the angle of a precipitous promontory its weight and velocity oblige it to pass on and to make the circuit of the basin before it can flow through that channel It has apparently made an effort to break through the bank to the westward but the rock was probably too solid The strata to the northward were found more penetrable and through these it has forced a passage A tide rising to the height of two and a half feet and again falling every minute is observable all round the basin this phenomenon may be produced by the impulse communicated to it from the torrent which causes it alternately to swell and to recoil from the beach

This gulph usually contains a quantity of floating timber which continues to revolve in the eddy about once in half an hour and will some times remain in this state for months until it be drawn off by the current At one particular part all floating substances are made to rise on one end after which they are swallowed down by the vortex and for a time disappear

The falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene the most wonderful and awful which the habitable world presents Nor can any drawing convey an adequate idea of the magnitude and depth of the precipitating waters By the interposition of two islands the river is separated into three falls that of the Great Horse shoe on the west or British side so denominated from its form and those of Fort Slansser and Montmorenci on the eastern or American side The larger island is about four hundred yards in width and the small island about ten yards The three falls with the islands describe a crescent and the river beneath becomes considerably contracted The breadth of the whole at the pitch of the waters including the curvatures which the violence of the current has produced in the Horse shoe and in the American falls may be estimated at a mile and a quarter and the altitude of the Table Rock from whence the precipitation commences

is one hundred and fifty feet

Along the boundaries of the river and behind the falls the elevated and rocky banks are every where excavated by sulphureous springs the vitriolic acid uniting with the limestone rock and forming plaster of Paris which is here and there scattered amid the masses of stone which compose the beach beneath

These excavations extend in many places to a distance of fifty feet underneath the summit of the bank

Casting the eye from the Table Rock into the basin beneath, the effect is awfully grand magnificent and sublime No object intervening between the spectator and that profound abyss he appears suspended in the atmosphere

The lofty banks and immense woods which environ this stupendous scene the irresistible force the rapidity of motion displayed by the rolling clouds of foam the uncommon brilliancy and variety of colours and of shades the ceaseless intumescence and swift agitation of the dashing waves below the solemn and tremendous noise with the volumes of vapour darting upwards into the air which the simultaneous report and smoke of a thousand cannon could scarcely equal irresistibly tend to impress the imagination with such a train of sublime sensations as few other combinations of natural objects are capable of producing and which terror lest the treacherous rock crumble beneath the feet by no means contribute to diminish

The height of the descent of the rapids above the great fall is fifty seven feet eleven inches. The distance of the commencement of the rapids above the pitch measured by the side of the island is one hundred and forty eight feet and the total altitude from the bottom of the falls, to the top of the rapids is two hundred and seven feet The projection of the extreme part of the Table Rock is fifty feet four inches

The large island extends up the river about three quarters of a mile and the rapids between that and the western banks are much diversified in one situation near the island there is a fall of about sixteen feet in height the vapour from which is distinctly visible Several small islands are formed towards the west side of the river

From a settlement called Birch's Mills on level ground below the bank the rapids are displayed to great advantage they dash from one rocky declivity to another and hasten with foaming fury to the precipice The bank along whose summit the carriage road extends affords many rich although partial views of the falls and rapids They are from hence partly excluded from the eye by trees of different kinds such as the oak the ash the beech fir sassafras cedar walnut and tulip trees

About two miles further down the side of the river at a situation called Bender's an extensive and general prospect of the falls with the rapids and islands is at once developed to the eye of the spectator On descending the bank which in several places is precipitous and difficult and on emerging from the woods at its base a wonderful display of grand and stupendous objects is at once expanded to the view From amid immense fragments of rock and lacerated trees which have descended in the current of the waters the eye is directed upwards toward the falls, that of Fort Slausser being on the left and the Great Horse-shoe fall immediately in front On the right is a lofty bank profusely covered with diversity of foliage beyond which the naked excavated rock discloses itself As the river here contracts to the breadth of about half a mile the fall on the American side becomes nearest to the eye and its waters tumble over a rock which appears to be perpendicular and nearly in a straight line across to the island the curvatures being from the point now described not perceptible The rock is however excavated and at the pitch has been worn from the continued abrasion by the fall into a serrated shape whence the masses of foam pour down in ridges which retain their shape from the summit to the bottom Numbers of stones which have been torn away from the precipice are accumulated through the whole extent below and receive the weighty and refulgent clouds of broken waters which again dash from thence into the basin

The salient groups in which with gradations almost regular the tumbling waters are precipitated excite the awe and admiration of the spectator the eye follows with delight the masses of lustrous foam varied by prismatic hues and forming a wide and resplendent curtain

About half a mile from hence in descending the course of the river and behind some trees which grow upon the lower bank is placed the Indian ladder composed of a tall cedar tree whose boughs have been lopped off to within three inches of the trunk and whose upper end is attached by a cord of bark to a living tree the lower end is planted amid stones It is upwards of forty feet in length and trembles and bends under the weight of a person upon it As this is the nearest way to the riverside many people descend by the ladder led either by curiosity or for the purpose of spearing fish which in the summer are found in great abundance in this vicinity

The spear in use is a fork with two or three prongs, with moving barbs, and fixed to a long handle. The fisherman takes possession of a prominent rock, from whence he watches for his prey, and when it approaches within his reach, he pierces it with his instrument with an almost inevitable certainty.

The village of Chippawa or Fort Welland is situated on each side of a river of the same name, which here joins the Saint Lawrence. A wooden bridge is thrown across this stream, over which is the road leading to Fort Erie. The former fort consists only of a large block-house near the bridge on the northern bank, surrounded by lofty pickets; it is usually the station of a subaltern officer and twenty-five men, who are principally engaged in conducting to Fort Erie the transport of stores for the service of the troops in the upper part of the province, and for the engineer and Indian departments. After being conveyed by land from Queenstown, the provisions and other articles are here embarked in bateaux.

There are in the village some mercantile store-houses and two or three taverns. The waters of the Chippawa are always of a deep brown colour, and are very unwholesome if used for culinary purposes. They enter the Saint Lawrence about two miles above the falls, and although they be frequently broken, and rush into many rapids in their course thither, they seem obstinately to resist being mixed with the purer waters of that flood, and retain their colour in passing over the precipice. The foam produced in their precipitation is of a brownish hue, and forms the edge of the sheet which tumbles over the Table Rock. Their weight and the depth of the descent, mingle them effectually with the water in the basin beneath. The colour of the Chippawa is derived from that river passing over a level country, in many places swampy, and from quantities of decayed trees which tinge it with their bark. It is also impregnated with bituminous matter, which prevents it, until it has suffered the most violent agitation and separation of particles, from incorporating with the more transparent and uncorrupted stream of the Saint Lawrence.

Opposite to the village of Chippawa, the current becomes so powerful that no boat can be ventured into it without imminent danger of being swept away, and lost in the rapids. Between the village and the falls there are three mills, the lower for the manufacture of flour, the two upper mills which are near to each other, and adjoining the road, are for the purposes of sawing timber into boards, and for manufacturing iron. The latter scheme has hitherto failed of success; the logs for the saw-mill are conveyed down the current to this situation in a very singular manner They are cut upon the borders of the Chippawa and floated down to its mouth where a reservoir formed by a chain of hog-pens is made to contain them In proceeding downwards in order to avoid being drawn into the vast vortex of the falls small poles have been fixed together from the reservoir to the mill floating at the distance of eighteen or twenty feet from the shores They are retained in their places by poles projecting from the land and thus the chain of poles rising and falling with the waters and always floating on the surface forms a species of canal into which the logs are separately launched and in this manner carried from the reservoir to the mill a distance of more than a mile

'In the vicinity of the mill there is a spring of water whose vapour is highly inflammable and is emitted for a time with a considerable degree of force If collected within a narrow compass it is capable of supporting combustion for near twenty minutes and of communicating to water placed over it in a small confined vessel the degree of boiling temperature

To those who are admirers of the picturesque beauties of Nature it will be almost unnecessary to apologize for the prolixity of description with which the last communication was filled The subject of the latter part of it upon which we have already so long dwelt is at once noble and *unique* Let us therefore attempt to pursue it still further although without the hope of being able to do it justice

The Saint Lawrence at the confluence of the Chippawa is upwards of a league in width and is passed to the opposite shore in boats or bateaux about three quarters of a mile higher up than the village and by the lower end of Navy island The transport of goods by land to Fort Slausser two miles above the east side of the falls was formerly conducted from a place opposite to Queenstown In passing through the cultivated grounds on this border of the river immense mounds of earth thrown up by multitudinous colonies of large black ants are every where observable The rapids on this branch of the river although not so extensive are nevertheless equally beautiful and romantic with those of the western branch A spot at the distance of fifty yards from the pitch affords a most advantageous and pleasing display of a scene which in every point of view is accompanied with sublimity Trees and rocks form the nearest objects and between them and the islands a lively picture is exhibited of broken rapids dashing over the slippery rocks which are hidden beneath the foaming torrents Amid the sinuosities of the pitch a part of the American fall is developed to the view of the spectator and the

Montmorenci fall is exposed about half way down its depth the other parts of the eastern fall are concealed whilst a portion of the waters beneath becomes disclosed The inequalities of the precipice which have been formed by the current are here fully discoverable Several small isles covered with woods appear near the central island and add to the variety of the scene which foliage of diversified verdure overtopped here and there by the towering cedar contributes to enliven and to adorn The Horse shoe fall beyond the whole delights the mind with the rapidity of its movements and the animated effulgence of its hues From the station which we have now endeavoured to describe is afforded the most perfect idea of the crescent formed by the three falls the islands and the Table Rock

"To descend the perpendicular cliff on the eastern bank is attended with difficulty and with some degree of peril Few of the roots and vines which formerly hung downwards from the trees any longer remain In descending the craggy steep the adventurer must cling to the rock with his hands and feet moving onward with great caution On his arrival at the base of the cliff he is struck by a development of scenery yet more awfully stupendous than that which had before been presented to his contemplation Here nature agitated by the struggles of contending elements assumes a majestic and tremendous wildness of form Here terror seems to hold his habitation Here brilliancy profundity motion sound and tumultuous fury mingle throughout the scene The waters appear to pour from the sky with such impetuosity that a portion is thrown back in clouds of vapour The mind expanded by the immensity and splendour of surrounding objects is disposed to give issue to the sensations of awe and wonder by which she is impressed in ejaculations similar to that of the Psalmist of Israel Great and marvellous are thy works"

"The huge fragments of rock which have been thrown from the summit of the precipice by the irresistible strength of the torrent and which have fallen upon each other in towering heaps beneath suggest to the imagination an idea of what may take place previous to the general consummation of this terrestrial scene when ancient monuments of marble under which princes of the earth have for ages slept shall be burst asunder and torn up from their foundations

"Can so vast so rapid and so continual a waste of water never drain its sources? These are inexhaustible and the body which throws itself down these cliffs forms the sole discharge of four immense inland seas

"The effect produced by the cold of winter on these sheets of water thus rapidly agitated is at once singular and splendid Icicles of great thickness and length are formed along the banks from the springs which flow over them The sources impregnated with sulphur which drain from the hollow of the rocks are congealed into transparent blue columns Cones are formed by the spray particularly on the American side which have in several places large fissures disclosing the interior composed of clusters of icicles similar to the pipes of an organ Some parts of the falls are consolidated into fluted columns and the river above is seen partially frozen The boughs of the trees in the surrounding woods are hung with purest icicles formed from the spray and reflecting in every direction the rays of the sun produce a variety of prismatic hues and a lustre almost too refulgent to be long sustained by the powers of vision

This part of the Saint Lawrence which is called the Niagara river issues from the eastern extremity of Lake Erie and discharges itself into Lake Ontario at the end of thirty-six miles after undergoing the most violent agitations through an interrupted and sinuous channel At its commencement from the former its breadth is not more than half a mile, but it becomes afterwards enlarged and separated into two branches by an island fifteen miles in length The current is powerful and the navigation for vessels is rendered intricate by innumerable hidden rocks In the vicinity of Navy island there are two smaller isles

The western bank between Chippawa and Lake Erie is almost entirely settled and the road is level and in most places good The Americans have on their side of the river a road extending from Fort Slausser to Buffalo creek a settlement which contains several Indian and some white families At a spot called the Black Rock at the lower end of the rapids a fort has been traced and partly constructed within the limits of the United States

Lake Erie is near three hundred miles in length and seven hundred and ten miles in circumference It derives its name from the Eries or Cats a native tribe which once dwelt on its borders The landscape at the entrance exhibits a pleasing variety consisting of water points of land level countries and distant mountains The coasts are cloathed with oak ash chestnut apple and cherry trees The south east shore abounds in game and wild animals The islands which it contains are Bass islands Isle Bois blanc Cunningham s island East Sister Grose isle Middle island Middle Sister Point Pelee isle Saint George s island Ship island Sandusky island Turtle island and West Sister

The old fort on the west side of the entrance into the lake consists of no more than a few houses a block-house of logs with some habitations for commercial people and one or two store houses A new stone fort in the form of a quadrangle is now constructing on rising ground behind the block house A company of soldiers is usually stationed here, and the men are chiefly employed in assisting to conduct the transport of stores Two vessels in the service of the British government are used in navigating this lake

The bottom of the lake consists of lime-stone rock of a blueish colour with which are mingled many petrified substances animal as well as vegetable The lake is much exposed at its northern extremity to gales of wind which occasion its waters to rise to a very considerable height Vessels are at these periods in some danger of being driven ashore their cables being often cut asunder by the sharp and flinty edges of the rocks which compose the anchorage

At ten miles and a half from the fort in pursuing the northern coast is found a promontory which advances into the water about three hundred and fifty yards and is named Pointe a Beneaut or Abino affording for vessels a safe anchorage in its neighbourhood From hence to the grand river is twenty-four miles a hill in the form of a sugar loaf intervenes and presents a good land mark The townships in the vicinity are rapidly advancing in population and improvement and several water mills have been constructed The Chenette or river Waveney is eighteen miles more to the westward and Pointe à la Birbe now Turkey Point lies about fourteen miles further along the coast In the townships of Woodhouse and Charlotteville which are situated on this part of the lake there is a considerable extent of country thinly timbered whose cultivation is facilitated from the want of underwood It exhibits more the appearance of a royal forest in Europe than that of and American wilderness." pp 150 175

The observations of another traveller who arrived soon after are not less instructive from a different point of view

[1] Robert Sutcliff, a Quaker merchant residing in Sheffield England made a prolonged visit to North America in 1804 1805 and 1806 on commercial affairs He resided for several months in Philadelphia and travelled extensively in the States of New Jersey New York Maryland and Virginia During this time he kept a careful journal without any thought of publication which was eventually edited and printed for a friend W Alexander at York in 1811 and has become a rare book. In the fall of 1805 he made a leisurely journey through

New York and entered Upper Canada by way of Batavia and Buffalo apparently with the object of seeing Niagara Falls

11th Month 30th After breakfasting at Buffalo Town' he wrote I crossed the Rapids about three miles below Lake Erie These Rapids are a very considerable River being at this place nearly one mile over and conveying a vast body of water which passes in its course from Lake Erie to Lake Ontario I observed as I rode along a number of large fishes that were thrown on shore and saw many ravens hovering about and devouring them In travelling upon the banks of the Rapids for many miles the roaring of the Falls is heard resembling distant thunder Being in Upper Canada which is under our own government it felt to me something like being in England and occasioned a pleasing sensation Here I observed a number of good farm houses the pastures and wheat looked remarkably fresh and green and a large fine herd of cattle were grazing in the fields In conversation I found that many of the inhabitants are of German or French descent In the afterroom I came to Fenning's[1] Tavern at Chippaway a town on the Creek of that name Here is a block-house fortification at which an English garrison is stationed From the windows of the tavern clouds of mist are seen rising from the Falls and the noise of them is so loud that a person seems to be close upon them although they are nearly three miles distant I was informed by several of Fenning's family that the concussion occasioned by the descent of so large a body of water is such, that in a still summer's evening a constant tremor of the earth is perceptible and the loose glass in the windows is so shaken as to produce considerable noise

12th Month 1st I lodged last night at Fenning's Tavern where I had as good accomodation as could be desired in this family I met with a young man[2] who had his education in our society,[3] and is a commissioner or surveyor under the English government for the disposal of lands to new settlers This young man kindly offered me his company and assistance in visiting the curiosities in this neighbourhood However it being first day[4] and there being no meeting near I preferred spending the forenoon alone Therefore immediately after breakfast I walked down to the Falls by myself the tremendous noise with the volumes of spray and mist arising from them being a sufficient guide to the spot The first view of this wonderful cataract is from the principal road which though not the most complete is perhaps as beautiful as any but being from a situation which is level with the river above the Falls a considerable part of the cataract is hid from the eye. After taking a circuit of about a mile the path leads down a steep precipice which is descended with considerable difficulty and not without the aid of a long ladder placed there by a neighbouring planter as well for his own convenience as for that of strangers. Immediately below the cataract the river is confined between two steep rocks that form a deep winding valley through which the waters flow in their course towards Lake Ontario. This valley is terminated by a perpendicular rock of 53 yards in height which runs across forming an angle pointing up the river over which this vast body of water precipitates itself with astonishing rapidity and with a noise so tremendous that it can scarcely be described. On the top of the rock is a small island which divides the cataract into two parts and in such a manner that the greater part of the water pours over the rocks at the extreme head of the valley and the rest on one side of it. A little above opposite Chippaway the river is two miles over but directly above the falls it narrows to about a mile in breadth. I was informed by Joseph Ellicot[1] and his brother at whose house I lodged that they had twice measured the falls and found them to be 158 feet in height and about 1800 yards in width from the opposite edges of the river.* I was told by the ferryman that about 16 miles above the Falls the river was nearly one mile in width and that in the middle it was 40 feet in depth and in common the stream ran at the rate of six miles in the hour. If this be really the case and I have no cause to doubt it the quantity of water passing over the Falls and continually suspended between the top and bottom may be more than 400 000 tons. If the additional weight and velocity gained by a fall of 158 feet be added the weight of these prodigious columns of water would exceed three millions of tons. Such an enormous specific gravity falling at once into the gulf below may bring the account of the Falls being heard under favourable circumstances at the distance of 40 or 50 miles within the limits of credibility.

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[1] John Fenning [2] Probably Malcolm Burwell [3] The Society of Friends or Quakers [4] Sunday

'Having reached the bottom of the precipice, and approached as near to the cataract as I could with apparent safety I sat down and spent about two hours in contemplating this astonishing natural curiosity which is said to be the greatest cataract in the world. The tremendous roar arising from the Falls added to the awful sublimity of the spectacle of such an uncommon body of water rushing headlong from the rock with the beautiful surrounding perspective altogether form a scene which it is impossible to describe As the morning was bright and clear a beautiful rainbow was constantly observable in the clouds of mist and spray that are constantly rising from the water below Here I held my forenoon meeting and though no words were uttered it could scarcely be called a silent meeting the objects before me loudly proclaiming the power and majesty of the Great First Cause and Creator of all things

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[1] A noted surveyor in the State of New York

* Note This includes both Falls and the intersecting island which is about 150 yards over

In the afternoon I returned to the inn and after dinner was invited by the commanding officer of the English garrison to drink tea with him and his wife and family in the fort I accepted his invitation and spent the evening with them very pleasantly This officer whose name is Tallant[1] had spent some time in Sheffield a few years back and had married his wife at Liverpool she is an agreeable young woman and well acquainted with some friends[2] of Liverpool They had a fine child with them and upon the whole seemed happier than could be expected in such a situation They behaved with great kindness to me and it appeared a gratification to them to entertain an Englishman

12th Month 2d This morning I had the company of W S [3] a minister of our society belonging to Pelham monthly meeting in this neighbourhood He kindly invited me to his house to spend a few days with him but I could not conveniently accept his invitation In the forenoon I paid another visit to the Falls and it being a dark cloudy day, the whole view had a more gloomy and solemn aspect There being none of the glare and glitter of the sunshine the eye could rest steadily upon it and having a pencil and paper with me I took a sketch of the scene

In the evening I came to D P s[4] of Black Creek meeting at whose house I lodged This is a pleasant situation on the banks of Lake Erie[5] and D P s establishment presents an agreeable specimen of a Back Wood family In the room where we breakfasted was a loom for weaving in another apartment were spinning wheels and some of the girls actively platting straw and making it into hats and bonnets for the family In addition to our tea and toast we had excellent broiled fish taken in the Lake where they easily procure great quantities These persons were so situated that in their own family they had the means of procuring nearly all the necessaries and even many of the luxuries of life It was a very beautiful sight to see ten fine orderly children sitting round the table with their father and mother who were still in the prime of life, and living independently of the uncertainties of commerce The eldest daughter appeared to be about 16 years old One of the sons who was but a boy entertained me with an account of his having lately killed a bear as it was in pursuit of his father's hogs The English government in order to encourage the settlement of Upper Canada grant to new settlers 200 acres of land and 50 acres additional for each child reserving to the crown the minerals and the white pines D P gave me the perusal of his grants from which I gathered the conditions Some little expense attends the grants in the fees of office though but trifling and their taxes amount to a very small sum per annum for each 100 acres.

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[1] Captain Joseph Tallon of the 41st Regiment who afterwards was distinguished at the capture of Detroit and the combat at the River Raisin when he was wounded [2] Quakers [3] Perhaps a clerical error for W L William Lundy was a leading Quaker in Stamford at that time

[4] Probably Daniel Pound of Bertie see Papers and Records of Ontario Historical Society XXVI p 273 He brought three children with him into Upper Canada in 1789 and the others had been born in the province.

12th Month 3d I left Black Creek and the morning being clear and calm the scenery around was beautiful After riding about 10 miles on the banks of Lake Erie I came to Fort Erie where I got some refreshment at the inn and proceeding a little further, I got into the ferry-boat in company with an old drunken Indian and his squaw These poor creatures I had seen the morning before at the inn endeavouring to persuade Fenning the landlord to exchange spiritnous liquors for a piece of printed calico which the Indian had received as a present from the agent of the British Government in Canada I was glad to observe that Fenning had the uprightness to refuse taking advantage of this poor creature which he might easily have done as the Indian was then in a state of intoxication and scarcely able to utter anything but Whisko the name he gave to spirits I was told in Canada that many thousand pounds per annum are expended in presents to the Indians to ensure their friendship in time of war and that the greater part of these presents are exchanged for spirituous liquors which they use to great excess many times to the loss of their lives and always at the expense of their health (Pp 152 159)

Joseph Brant who had quarrelled with Colonel William Claus superintendent of the affairs of the Six Nations at the Grand River and had been deposed from his position as their representative at a general meeting of the chiefs and principal warriors at Buffalo Creek at the end of March 1805 which he had declined to attend voiced his discontent and resentment by an appeal to the provincial parliament

To the Honorable the Commons House of Assembly
in Parliament Assembled &c &c

THE PETITION OF CAPTAIN JOSEPH BRANT

Respectfully sheweth

That in the year 1775 when the war between Great Britain and her Colonies had commenced the Mohawk Nation always faithful to the cause of the King took a decided and active part and leaving their families to the mercy of the enemy brought off the Indian Department through a hostile country into Canada, where their conduct was highly approved by Sir Guy Carleton, who in a public council with the Indians desired them to take up the hatchet and defend their rights he then solemnly engaged that we should be remunerated for any losses we might sustain during the war

Some years after when it was foreseen that the contest was likely to take an unfavorable turn we stated our situation to the late Sir Frederick Haldimand then Governor and Commander in Chief and requested a confirmation of General Carleton's promise by which it was understood that the Indians who had lost their lands should receive an equivalent in this country and at all events have them as fully confirmed as those they were possessed of before the war and the grant which we afterwards obtained is now before your Honorable House

The lands thus granted although from the quantity and situation by no means an equivalent for our losses we cheerfully accepted in full confidence that they should be our own property at least as much so as those we had sacrificed by joining the British Standard at the commencement of the war

After thus obtaining these lands which are delineated on the map which is also before Your Honorable House we with the approbation of General Haldimand settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture &c I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada, by whom it was contemplated to curtail us of a great part of this tract

Considering ourselves under the protection of his Majesty it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under Divisions have been fomented amongst the Indians by Mr Claus the Deputy Superintendent which may lead to serious consequences He has taken the most unjustifiable means to destroy our former trans actions for which purpose he brought a party of Senecas from Buffalo Creek to whom he dictated a paper purporting to make void all we had done respecting the lands in question although he must have known that these Indians who live within the limits of the United States have in their present situation no right to interfere in the disposal of our lands This will appear by referring to General Haldimand's grant

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property or that Mr Claus, through the means he has in his power should disunite us

That a small spot of ground of so little consequence to the British Nation should become a matter of contention we cannot suppose to be their intention but if unfortunately for us this should be the case and if ever this small tract is considered as too large for the former services and losses of the Indians in God's name let them confirm the one half

We are aware that all representations of this nature should come through the Indian Department but as they have long since ceased from paying attention to our complaints we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit

In behalf of the Indians

JOSEPH BRANT,
York 14th February, 1806 *Agent*

This petition was read in the Assembly on Saturday February 22 and Benajah Mallory the member for Norfolk and Oxford at once gave notice of a motion to consider it in committee of the whole House on the Wednesday following It does not appear that he was entirely disinterested in this action as he had leased fourteen hundred acres of their reserve from th Indians with the intention of smelting bog iron ore which was believed to be found upon it in considerable quantities It was debated in committee on the day named and the next, when a report that the prayer of the said Petition was entitled to a further consideration and that it be recommended to the House to take it into consideration early in the next Session of Parliament was adopted But when parliament again met the petitioner was dead

A very daring case of housebreaking and robbery caused considerable alarm and excitement and was brought to the attention of the executive government by a report from an influential local magistrate

From Robert Hamilton to Alexander Grant

Dear Sir

It is with much Concern that I report to you a most atrocious Burglary allmost accompanied with Murder in the case of Isaac Swayzey Esq the Collector of the public duties in this district & of the assessments of this Township —

On Saturday night the 25th Inst about Eleven oClock soon after the family had gone to sleep the front door of his house was violently forced off the hinges the lock broken & the door laid on the floor—

Mr Swayzey alone lay in the lower Room to which this door immediately oppened and suddenly awakened by the noise he had hardly time to spring from the Bed when he was Violently assaulted by a Stout Man drest in a Blanket Coat with Moccasins & his faced Blacked — With this Man he seems to have had a Violent Struggle & several Blows were given on each side—Mr Swayzes face Neck & body are much bruised and he thinks that having had a fair stroke at his Adversarys face with a Chair he cannot have failed to leave the mark of the blow there —During this scuffle two other Men neatly drest as the other as far as Mr S could distinguish but apparently younger or at least smaller were employed in breaking open a Chest of drawers which stood nearly Adjoining to the door—This they seem to have effected by the stroke of an Ax on the sloping Cover or door of the desk which was splitt and broken into two or three pieces Three Bags of Money as Mr Swayzey states stood in the front of the desk these were taken away from one which was open some pieces of silver were scattered on the floor — The Struggle between Swayzey and the first Man still continued — he now however received a stroke on the hind part of the head from one of the others — which he apprehended *was with a Sword* but the appearance of the Wound rather indicated the back of an Ax or some other Blunt Weapon The three Men immediately made off without having spoken a word during the whole affair — Three Weemen were only in the house at this time — A man & a boy who usually sleep there had that afternoon gone to the Mill & did not get back till about one oClock in the Morning — The Weomen sleeped up stairs in a Room the door of which at the foot of the stairs passed from Mr Swayzeys Room They say that they were forcibly detained in this Room or on the stair by the door being shutt or held fast against them — On their getting out the Men were gone & none of them were either seen or heard by the weemen further than in the Struggle in which they could only distinguish Mr S—s voice —

Two Magistrates myself & Doctor Kerr soon happened to be on the Spott soon after the affair happened We Met next Morning with the other Magistrates & most of the Respectable Inhabitants and from all the Circumstances we were led to conclude that the *perpetrators were well acquainted with Mr Swayzey s house & the habits of his family* —We proceeded Accordingly to search all suspected places & to examine such suspicious Characters as we could think of but without Success or any Clue by which to guide our enquirys —

The Manner in which this affair has been Conducted precludes the hope of finding positive Evidence to Convict the perpetrators — Circumstances such as the Mark on the face before mentioned may perhaps lead to discovery And the Evidence of an Accomplice may perhaps be obtained by a promise of Pardon & the hope of Reward — It rests therefore *Sir* with you as president & with the Wisdom of Council to Determine how far this in a Proclamation may be proper or expedient —

We do not doubt but that you will see the Necessity of using every possible means to detect such dangerous Villany and deter such daring offenders to whose Machinations the Country in its present State is so peculiarly exposed —

I am happy to Report that Mr Swayzeys life is not thought in Danger — I have not heard the Amount of his loss ascertained

With sincere Respect
I am Sir &c

R Hamilton

The Honble
Alexander Grant President &c &c &c

Queenston 28th Jany 1806

(Sundries U C 1806)

After due consideration by a committee of the Executive Council the President was advised to offer a reward for information leading to the conviction of the offenders

PROCLAMATION

ALEXANDER GRANT Esquire *President Administering the Government of the Province of Upper Canada &c &c , &c*

To all whom it may concern — GREETING

WHEREAS a most daring Assault and Burglary were committed on the Person and in the dwelling House of ISAAC

SWAYZE Esquire, in the Township and District of Niagara, by certain persons in disguise and unknown, on the night of the twenty-eighth day of January last past, by violently assaulting, wounding and bruising the said Isaac Swayze, and by breaking open and feloniously taking and carrying away large sums of Money, from his said dwelling House. NOW KNOW YE, to the intent that such heinous Crimes may not go unpunished, and that the Persons and Property of his Majesty's Subjects in this part of his Dominions may be secure under the protection of the law, I ALEXANDER GRANT, Esquire, President, administering the Government of the Province of Upper Canada as aforesaid, Do, by and with the advice of the Executive Council of the said Province, hereby offer a Reward of SIX HUNDRED DOLLARS to any person or persons who shall make such discovery and give such information, so that the perpetrator or perpetrators of the said crime or crimes shall be convicted of the same. And I do hereby further, offer his Majesty's most gracious Pardon to such person or persons as may be accessary or accessaries to the commission of the said crime or crimes, who shall honestly and without fraud discover the principal or principals who hath or have committed the same.

GIVEN under my Hand and Seal at Arms, at York, this eighteenth day of February, in the year of our Lord one thousand eight hundred and six, and forty sixth year of his Majesty's Reign.

ALEXANDER GRANT, President

By his Honor's Command.

WM. JARVIS, Secretary

A letter from the clerk of the peace to the private secretary of the administrator throws a curious light on the uncertainty of mail delivery and the considerable cost of portage.

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 8th Mrch 1806

Sir

Your letter and packet of the 25th January 1805 (sic) I yesterday received, have Eight pence Currency postage to Pay on the same — as the Clerks of the Peace have no allowance for Postage or for any other business done by them — it may perhaps be as well in future to pay the Postage at the Office at York and not heap the expense upon the Clerks — although trifling as Eight pence may appear at the Capital yet it is something to a Clerk of the peace with a large family at Niagara — I only [send] you the Out side Covers in order that you may see the post Mark 27th Jany 1805

I have the Honor to be &c

RALFE CLENCH

Wm Stanton Esq
Chief Clerk President Office
York

(Sundries Upper Canada 1806)

Under the existing militia act the responsibility for the local organization of regiments and authority to recommend the appointment of officers was vested in the lieutenant of the county who naturally endeavoured to secure the services of the most energetic and influential residents in the several townships

FROM HON ROBERT HAMILTON TO
HON ALEXANDER GRANT

Sir

In consequence of some dissatisfaction and Inconvenience having arisen in the Militia of this County owing to the establishment of a Corps of Artilery which tho recommended & approved of by General Simcoe while Lieut Governor, is not Authorized by the Statute of the Province I have been induced to alter the Sistem and to bring the whole body of the Militia into the general Line

This Alteration with the several Vacancies that have lately occurred require a Promotion and new Appointment of Officers, a list of Which I have now the Honor to submit for your Inspection and for your Sanction by Signature if approven of — I take the liberty to request that this may be sent back by the first Opportunity as I am Anxious to have the Officers of the three Regiments in orders by the fourth of June

With Sincere Respect

I am Sir &c

R HAMILTON

Lieut County Lincoln

To his honor

Alexander Grant Esquire
President of the Province
of U C.

Queenston April 28 1806

PROMOTIONS IN THE LINCOLN MILATIA

Lieut Colonel Ralfe Clench	to be	Colonel
Major Robert Kerr	to be	Lieut Colonel
Major Johnson Buttler	to be	Lieut Colonel
Captain David Secord	to be	Major
Captain James Muirhead	to be	Major
Captain John Mackay	to be	Major
Lieut George Lawe	to be	Captain
Lieutenant William Robertson	to be	Captain
Lieutenant John Powell	to be	Captain
Lieutenant George Turney	to be	Captain
Lieutenant John Crysler	to be	Captain
Lieutenant James McLean	to be	Captain
Lieutenant James Secord	to be	Captain
Lieutenant Daniel House	to be	Captain
Lieutenant James Dawdy	to be	Captain
Ensign George Read	to be	Lieutenant
Ensign Gilbert Fields	to be	Lieutenant
Ensign Martin McClellan	to be	Lieutenant
Ensign Henry Smith	to be	Lieutenant
Ensign Latham Stole	to be	Lieutenant
Ensign Nicholas Smith	to be	Lieutenant
Ensign Frederick Markle	to be	Lieutenant
Ensign David Bastedo	to be	Lieutenant
Ensign George Keefer	to be	Lieutenant
Ensign Jacob Bean	to be	Lieutenant
Ensign Pearce Moore	to be	Lieutenant
Ensign Henry Hixon	to be	Lieutenant
Ensign Joseph Smith	to be	Lieutenant
Ensign Ralph Walker	to be	Lieutenant
Serjeant William Wallace	to be	Lieutenant
Serjeant William Dorman	to be	Lieutenant
John Secord Gentleman	to be	Ensign
George Hamilton Gent	to be	Ensign
George A Ball Gent	to be	Ensign
John Servoss Gent	to be	Ensign
Henry Pawling Gent	to be	Ensign
William Servoss Gent	to be	Ensign
James Hainer Gent	to be	Ensign
Simcoe Stevenson Gent	to be	Ensign

Elijah Secord Gent	to be	Ensign
Serjeant Robert Brooks	to be	Ensign
Serjeant Christopher Buckner	to be	Ensign
John Couke Gent	to be	Ensign
John C Ball Gent	to be	Ensign
John MacMicking Gent	to be	Ensign
Anthony Upper Gent	to be	Ensign
Lewis Clenent Gent	to be	Ensign
Serjeant Benjamin Smith	to be	Ensign
Serjeant Joseph Snyder	to be	Ensign
John Henry Gent	to be	Ensign
Robert Pettit Gent	to be	Ensign
William Hill Gent	to be	Ensign
Henry Nelles Gent	to be	Ensign
Alexander Cameron Gent	to be	Ensign
John Clark Gent	to be	Ensign
Andrew Roeback Gent	to be	Ensign
John I Taylor Gent	to be	Ensign
Daniel Secord Gent	to be	Ensign

The above List will compleat the Eastern Regiment of the 1st Riding and the Regiments of the 2nd and 3d Ridings of Militia of the County of Lincoln

Thomas Clark Esquire Deputy Lieutenant for the Middle Riding of the District of Niagara

The foregoing List of Officers is to complete Three Regiments of the Militia of Lincoln and is presented to His Honor the President of the Province, and his Approbation is requested by

his most Obedient and
very humble Servant
(Signed) R HAMILTON
Lieutenant County Lincoln

Queenston April 28th 1806
York 7 May 1806

Approved
(Signed) ALEXR GRANT
President

(Sundries Upper Canada 1806)

An effort to compile an estimate of the population of the province met with scanty success owing to the neglect of the township clerks to comply with a recent provincial act

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 20th May 1806

SIR

Yours of the 1st instant I this day Received and regret much that I have it not in my power to comply with the Presidents Commands The Town Clerks a very few indeed excepted have never yet sent into the Office any annual Acct whatever nor more than three or four Townships have been received for Many years past and but One of those (Niagara) agreable to the Statute

I have the Honor to be &c

RALFE CLENCH
Clerk of the Peace

Endorsed —From R CLENCH
regrets that it is not
in his power to send
an abstract of the
Population

(Sundries Upper Canada 1806)

A letter to John Askin, from his grandson, William Robertson then a merchant at Queenston written at that place on 9th October, 1806,[1] contains a hasty reference to the fatal duel between William Dickson and William Weeks of which he had just been informed

'Ill news travels fast — since writing the above I have heard that Mr Weeks has been mortally wounded in a duel by Mr W Dickson Major or Capt Hunt[2] who was up with you and by the by is said to be a great scoundrel is supposed to be at the bottom of it Judge Thorp also appears much blamed The parties fought on the American side the first Shot took effect & passed through Mr Week's body from the right to the left side but Mr Dickson is not blamed Mr Weeks is much lamented by his friends and every one else

(Askin Papers, Dominion Archives)

The controversy in court between Dickson and Weekes was described in a letter from Hon Robert Hamilton and Joseph

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[1] It has been stated that this duel was fought on October 10 which is apparently an error The entry recording his burial in the register of St Mark's church is dated October 7 [2] Probably Henry Jackson Hunt afterwards a merchant in Detroit.

Edwards who were sitting as assessors with Mr Justice Thorpe at the time addressed to the Lieutenant Governor which is undated but evidently written very soon after it took place

'Sir

The very extraordinary circumstances which have occurred at the last assizes for this District and which have unfortunately led to the death of a Member of the Society we think it our duty as we had the honour to be associated on the bench with Mr Justice Thorpe to state to your Excellency. In a case in which Mr Weekes the Attorney was employed he took opportunity while addressing the Court to introduce the character of our worthy late Governor Lieut General Hunter the Chief Justice Mr Allcock and several others of the most respectable characters in the Government of this Province and to rail against them with the utmost degree of asperity General Hunter he stignatized with the epithet of Gothic Barbarian whom the providence of God had removed from this world for his tyranny and Iniquity

He stated Mr Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred and attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent

The presiding Judge sat with the greatest composure to hear this abuse tho totally irrelevant to the cause then before him if he did not applaud he certainly shewed no serious signs of disapprobation

We his associates indignant at this indecent conduct from the Bar and at the apathy in the Judge would have left the Bench to shew our resentment had not respect for the Court detained us resolving however most determinedly never to be exposed to the like again by declining this and all other duty with this Judge Mr Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper assigning as a reason that he understood a very elaborate argument was to be given by Mr Weekes As the argument produced was elaborate only in malice and mis representations we are tempted to believe that the Judge if not aiding in the falsification was certainly previously acquainted with the matter it contained and that it was not delivered without his privity and probable consent

Your Excellency has doubtless been informed that this Mr Weekes has since fallen a sacrifice to his malice and obstinacy here too we fear the interference of the Judge or of his party operated in forwarding the melancholy event We are assured that for some time after Mr Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice and most probably arising from private malevolence and the rancour in the speaker's mind Mr Weekes shewed no signs of particular resentment to Mr Dickson that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede We have strong reasons for thinking from the conversation of this Party that perhaps some rash promise given when warm produced that obstinacy which proved fatal to him

In the above statement we have carefully recited facts to the best of our recollection In matters of opinion we have to request you to excuse what may appear erroneous

And we are with sincere respect

Your Excellency's most obedient and
very humble servants

R HAMILTON
JOSEPH EDWARDS

(Colonial Office Records Vol 306, pp 83-85.)

Isaac Swayze who then in conjunction with Ralfe Clench represented the second, third and fourth ridings of the county of Lincoln in Legislative Assembly endeavoured to obtain reimbursement for the loss he declared he had sustained by the recent robbery of his house in connection with which it does not appear that any arrest had been made

THE PETITION OF ISAAC SWAZEY

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament assembled

The Petition of Isaac Swazey Inspector for the District of Niagara

Humbly Sheweth

That Your Petitioner has been commissioned Inspector of Licenses for the District of Niagara That in consequence of the power vested in him by law he collected a considerable sum of money for Duties on Licenses issued 5th January 1806

That on the night of the twenty eighth day of January 1806 his House was broken open and he was robbed of large sums of money of his own private property and the public That amongst the said money was the sum of One Hundred and Seventy Eight Pounds Five Shillings and Eightpence Farthing Provincial currency collected on account of Duties on Shop Tavern and Still Licenses issued the said 5th January 1806

Your Petitioner presumes he has always been punctual in his payments, and diligent in the discharge of his duty as Inspector and he believes he will be able to prove to the Honorable House that the said sum was not lost by any negligence on his part

Wherefore Your Petitioner prays that the House will take his case into consideration and grant such relief as they in their wisdom shall think meet and Your Petitioner as in duty bound will ever pray

(Signed) ISAAC SWAZEY

York 19th February 1807

A bill was introduced for his relief which was read a first and second time and referred to a committee of the whole House which reported that further consideration should be postponed until the first week in the next ensuing session which on a division was carried by a majority of five votes fifteen members voting Mr Swazey was then permitted to withdraw his petition with the affidavits annexed to it

Many of the duties which in later years devolved upon the county councils were then in the hands of the magistrates assembled in quarter sessions whose powers were limited by a provincial statute restricting their expenditure

THE PETITION OF MAGISTRATES AND OTHER INHABITANTS OF THE NIAGARA DISTRICT

To the Honorable the Speaker and Members of the House of Assembly at York —

The Petition of the Magistrates and principal Inhabitants living along the road between the Lakes Ontario and Erie and its vicinity —

Sheweth,—

That the Bridge crossing the mouth of the Chippawa Creek upwards of three hundred feet in length is so much decayed as to render the passing unsafe and has twice endangered the lives of passengers and teams by breaking down

Your Petitioners deem it unnecessary to enlarge on the utility (and indeed the necessity) of a bridge Then since it is so well known to many of the Gentlemen in Your House particularly those representing this part of the Province they

presume to say that no road in this district is more travelled than the road above mentioned

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge which in the present exigence is far too small a sum

Your Petitioners therefore pray that the Legislative Body will be pleased to authorize the Magistrates of the Niagara District in Quarter Sessions assembled to apply an additional sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippawa Creek or make such other provisions as the necessity of the case requires and which in your wisdom shall seem meet

And Your Petitioners will ever pray

JOHN WARREN SR.
THOMAS CUMMINGS
SAM'L. STREET, SR.
ALEXR. DOUGLAS and others

This petition bears no date but was read in the Legislative Assembly on the 26th February 1807

When the sale of several blocks of the lands composing the reservation for the Six Nations on the Grand River was approved by the Executive Council Hon D W Smith the Surveyor General William Claus their Superintendent, and Alexander Stewart a barrister residing in Niagara were appointed trustees for the management of this business Smith had since removed to England and the responsibility had devolved upon Claus and Stewart causing them considerable anxiety owing to dissatisfaction among the Indians who were divided into contending faction

FROM WILLIAM CLAUS TO WILLIAM HALTON

Fort George 24th March 1807

Sir

I am extreemly anxious to hear what Mr Jarvis intends doing respecting Block No 5 on the Grand River for which he pledged himself on the 4th September last to surrender to the Crown in three months from that date in case he did not comply with the terms on which the lands were originally purchased by him as one of the Trustees I beg leave to say that no one part of that agreement has been complied with to my knowledge I beg leave further to add that such persons are now ready to come forward to purchase that Tract as I am confident will meet the approbation of His Excellency

I am also very anxious to hear how far His Excellency is pleased to approve the arrangement made by the Six Nations in Council 23d September last respecting Block No. 3 formerly purchased by William Wallace as I have been informed that the persons who were recommended at this Council for the purchase of the remaining part of that Township (45 185 acres) will come forward in the course of a fortnight to tender me the money for the same amounting to £5648 2 6 Pro Curry

In my letter to His Excellency 11th Sept 1806 I explained the difficulties & expence attending the mode directed by the Executive Government for the funding of the money arising from the sale of the Indian land which still causes dissatisfaction among them that mode must still be followed by me upon the receipts of the further payments which I look for daily unless altered by the same power that authorised it

I beg that the above may be Submitted to His Excellency the Lieut Governor for his consideration

(Sundries U C 1807)

In 1804 at the instance of the Colonial Secretary, an act had been passed by the provincial parliament for the "encouragement of the growth and cultivation of Hemp within this Province and the exportation thereof" and appropriating one thousand pounds for the purchase of "merchantable hemp" grown in the province at the price of forty pounds per ton by commissioners to be appointed by the Lieutenant Governor Robert Hamilton had accordingly been appointed one of the commissioners by General Hunter and was continued in office by Grant

FROM ROBERT HAMILTON TO WILLIAM STANTON

Sir

I have been much honored with yours of 16th Ins Accompanied with 75 Copies of the Hemp Remarks which I shall endeavour to distribute in this Vicinity so as to meet his Honor the Presidents Wishes —

Tendering thro you to him my best Respects I remain

Sir

your very hum Sert

R HAMILTON

Wm Stanton Esqr

Queenston July 22 1808

(Sundries Upper Canada 1806)

Joseph Frobisher a prosperous merchant in Montreal who was considerably interested in the fur trade with the North West has briefly recorded his visit to Niagara in 1807 in his unpublished journal He was accompanied by Isaac Todd another leading merchant

July 1807

Tuesday 14—Arrived within the Bar at Niagara at 9 oClock in the Evening & slept on Board [the Simcoe Captain Sampson]

Wednesday 15—Breakfasted on Board Dined at Emseys Tavern — Major Short & Capt Roy of 41st Revd Mr Addison & Mr Thomas Dickson Dined with us & in the Evening Rode up to Queenston & slept at Mr Hamilton

Thursday 16 —Went to Niagara & Dined with Mr Jas Coffin & returned in the Evening & slept at Mr Hamilton — N B Mr Todd remained at Home —

Fryday 17—Went to Niagara & Dined with Lt Colonel Procter & returned in the Evening

Saturday 18—Went with a party to see the Falls of Niagara & got down to the Table Rock Rode up as far as Chippawa & returned & Dined on the Road & Slept at Queenston Mr Hamilton

Sunday 19—Remained at Mr Hamilton — Rain all Day

Monday 20—Left Mr Hamilton early for Niagara & got on Board the Duke of Gloucester Commodore Steel by 8 oClock in the Morning & sailed for York which we reached by 11 oClock at Night slept on Board (4 miles from shore)

Tuesday 21—Went on shore — Dined at Moore Tavern and asked to Join the Commodore Grant Judge Scott Mr McLean Mr Chewett & Mr Thomas Dickson

Wednesday 22—Remained at York all Day Dined with Chief Justice Scott & slept on Board the Duke of Gloucester & got under way

Thursday 23—After being becalmed all the forenoon the Wind sprung up about noon & got into Niagara about 4 oClock & Dined at 41st Mess & in the Evening went to Queenston & slept at Mr Hamilton

Friday 24—Mr Todd went to Niagara on Business & I went up as far as Chippawa & found Mr & Mrs Waddington at the falls of Niagara — they returned with me & we Dined at Mr Thomas Dickson at Queenston

Saturday 25 —Remained at Home all Day

Sunday 26 —Went to Church at Niagara & Dined at 41st Mess with Mrs Waddington & several other Ladys & returned Home in the Evening

Monday 27 —Got all our Baggage on Board of the Simcoe Mr Todd & Mrs Waddington & servants also went on Board & Mr Waddington & myself Rode down to Niagara & Dined with Doctor Kerr — at 6 oClock the Simcoe got down & we went on Board & got under way with a slight Breeze —

Tuesday 28 —A good Breeze all Day arrived at Kingston at 7 oClock in the Evening & slept at Walker Tavern "

After his return to Montreal on July 31 he summed up his journey in the following words

"N B after being absent about 25 days vizt

6½ Days from Montreal to Kingston
1½ do remained there
1 do in crossing Lake Ontario to Niagara
5 do remained at Queenston & Niagara
1 do in Crossing to York
2 do remained there
1 do in Crossing back to Niagara
4 do remained at Niagara & Queenston
1 do in crossing the lake to Kingston
2/3 do remained at Kingston
2 1/3 do to La Chine

25 Days.

The attack by the British frigate Leopard upon the United States frigate Chesapeake combined with a general feeling of unrest among the western Indians seemed a certain portent of hostilities and caused evident anxiety among merchants everywhere in Canada

FROM THE QUEBEC GAZETTE

Thursday September 3 1807

It is stated in a Pittsburg paper that the British merchants at Michillimakinac refuse purchasing any articles of country produce from the Americans and are preparing to remove their effects from our territory It is further stated that the difficulties with the Indians on that frontier are such as to render it unsafe to travel from Chicago to Detroit by land (To the above intelligence we can add from good authority, that the whole of the Indian nations have offered their services to the British Government in case of war with the United States)

About the same time it was reported and widely believed that General Moreau who had been exiled from France and had taken up his residence in the United States would be offered the command of an army organized for the invasion of Canada

COLONIAL OFFICE RECORDS NOVA SCOTIA

Series A Vol 139 pp 329 330

Halifax Septr 4th 1807

Sir

For the information of His Royal Highness the Commander in Chief I take the opportunity of a Letter Admiral Berkeley will dispatch this day to England of acquainting you that it is generally reported at New York (in the event of War) that General Moreau is to have the command of the American Army he is gone to Canada on pretence of seeing the Falls of Niagara but it is clearly for the express purpose of making himself acquainted with the Country

I have &c
M HUNTER
M Gl

Newspapers in the United States continued to publish alarming intelligence from the Indian territory some of which was reprinted in *Quebec Gazette*, a semi official publication

FROM THE QUEBEC GAZETTE

Thursday November 12 1807

New-York Oct 16 to 24

From a Gentleman just from Ohio intelligence of considerable importance has been received that the Potawattomie Winnanyaw and other Indians to the number of nine hundred have assembled at Greenville on Mud River Ohio The Colonel of the Militia of that part went to them for the purpose of ascertaining their object and numbers. The Indians refused to give him any satisfaction on the subject He then went to the Prophet and told him if he did not he should inform the government of his country He replied I care not a d—n for you or the government of your country I can blow you off the earth like sand from my hand Six hundred of the Kentucky militia had crossed the Ohio at Limestone commanded by General Scott, and 1500 Ohio militia were required to march for the purpose of dispersing them

It was reported at Chillicothe that seven thousand Indians had crossed the Lakes and that a number of British agents were among them and it was supposed the former were waiting until joined by these others, when it was expected they would attack the whites

Lexington Telegraph

New York Oct 17—A letter from Mr Rathbone Missionary among the Indians says that the Chiefs of the six nations are peaceably inclined towards the United States It appears from the report of the commissioners sent out by the Governor of Ohio that the Indians near Greenville are not hostile The Prophet is said to preach peace being thus taught not by man but by the *Great Spirit* Blue Jacket in a talk addressed to the commissioner, stated as their chief complaint that the government agent at Fort Wayne (Mr Wells) was disliked

From the Quebec Gazette

Thursday December 24 1807

Extract of a letter from a respectable citizen of the U S captain of a trading vessel on Lake Erie dated Fort Erie Roads October 23d 1807

The British have armed all their vessels on this lake viz the Camden Snow of 18 guns the Gen Hunter a brig of 10 guns and all their merchant vessels On Lake Ontario as I am informed, the Duke of Kent a snow of 18 guns a ship the Toronto of 24 guns and the Governor's yacht the latter a few days since exercised her men and guns alongside the brig Adams

Should hostilities actually take place between the U S and G Britain the posts of Michillimackinac and Chicago it is most probable would be the first places the British would strike to expose a more extensive frontier to the Indians whom they are tampering with to obtain an alliance

The appointment of an experienced officer on the half pay list of the regular army who was also a member of the Executive Council as adjutant general of militia had considerable significance

FROM THE QUEBEC GAZETTE

Thursday January 14 1808

YORK, U C —His Excellency the Lieut Governor has been pleased to appoint Lieut Col Aeneas Shaw to be Adjutant General of the Militia forces in this Province

Departed this life on Tuesday the 24th ult Capt JOSEPH BRANT aged 65 years

A few immigrants from the British West Indies and some even from Saint Domingo had arrived in Upper Canada and this seems to have encouraged others to contemplate following them

FROM ROBERT NICHOL TO WILLIAM HALTON

Niagara May 14 — 1808

Sir

I have just received a letter from a Gentleman of very considerable property in the Island of St Vincents stating it to be the intention of himself and several other Gentlemen in that Island to Come to this Country with the view of settling in it — and requesting me to say — to what extent persons of his description might expect to receive Grants of Crown Lands on their arrival in the Province — The Gentleman is an European and of undoubted loyalty and as this Province may eventually benefit by the Migration to it of such Characters — I am anxious to transmit to him the most Correct information in my power and if possible from an Official Source —

Doctor Kerr who is the bearer of this has been written to on the Same Subject and can give His Excellency the Lieut Governor more Satisfactory Accounts of the Gentleman in question

(Sundries U C 1808)

The movement of regular troops of the United States army to reinforce the garrisons of their frontier posts and the arbitrary seizure of boats laden with goods for the Indian trade by the collector of customs at Fort Niagara seemed to portend a declaration of war and naturally increased alarm and led to vigorous protests from their proprietors supported by the Lieutenant Governor and the Governor General

FROM ROBERT NICHOL TO BRIGADIER GENERAL BROCK

Niagara May 21 — 1808

My Dear Sir

Conceiving that in the present State of our Affairs with

the United States it might be desirable for His Excellency the Commander in Chief to have early and correct information of any Movement of the American Troops on our Frontiers — I have conceived it to be my duty to State to you that I have received intelligence that can be depended upon that strong reinforcements of Troops of the line have been ordered from the interior of the United States to the posts of Detroit & Michilimackinac and that a detachment of these amounting to upwards of a hundred Men has already Arrived at Presqu'isle on Lake Erie — I have Conversed with the Captain of the Vessell Chartered to Carry them up — My reasons for being so forward to report this to you is that the sudden Collection of a large force at the present time in those places might very materially affect our intercourse with the Indian Nations and dispose them to Commit hostilities on our distant Settlements before we could afford them the necessary protection — While writing a most unpleasant circumstance has taken place which is I think strong evidence of the hostile intentions of the United States —

Twenty Boats belonging to the North West and South West Companies — Navigating Lake Ontario under the faith of the Treaty of Amity and Commerce — were this Morning fired upon by the American Garrison and Seventeen of the Twenty Captured — the remaining three Made their Escape to this Side — it is unnecessary for me to say More on this Subject as I presume a correct Statement of the fact will be forwarded to the proper Authorities —

I write in great haste the vessel being just on the point of Sailing

I am with much respect

ROBT NICHOL

Brigr General Brock
&c &c &c
Montreal

(C 363 pp 61-3)

FROM ROBERT HAMILTON TO CAPTAIN LEONARD

Queenston May 23rd 1808

Sir

After the conversation I had with you on Saturday on the subject of the Goods now Seized and forcibly detained at your Post the property of the Mackinac Company and solely intended for the Trade with the Indians I think it my duty

to state to you *in this way* the following facts — That however the matter may terminate you may not have it in your power to say that you were uninformed of them — Most probably this statement may be laid before your Government and mine also

Sir James Craig the Commander in Chief of the British Territories in America did send to the President of the United States, by Mr Gillespie of Montreal a Representation of the state of the Indian Trade in the interior parts of this country and of the danger to be apprehended from the Indians of those parts were they prevented from receiving their usual Supplies — Mr Gillespie has returned to Montreal perfectly satisfied that this Representation would be attended with the best efforts and having assurance given him that the Indian Trade should not in any way be affected either by the Nonimportation or the Embargo Law and in confirmation of these assurances having been given him we see in the last Supplementary Act on this subject the 15th Section of which most compleatly replaces this Trade in the situation it was in prior to the passing of any of these Acts — As you have this act in your possession I do not trouble you with a Repetition of the Clause referred to — But as you must observe in it full liberty is given for the importation of British Merchandize into the United States for the purpose of Trading with the Indians surely it is absurd to suppose it meant to interdict the persons employed in the Transport of the Goods from touching on the American side of the River or Lakes not for the purpose of Trade but solely for refreshment

On Mr Gillespie's return to Montreal the Mackinac Company trusting implicitly to the assurances given him at Washington proceeded to dispatch the boats usually employed in this Trade and directed the men to pursue the usual Rout along the south side of Lake Ontario as being the safest and shortest and as being the rout the Canadians were best acquainted with

They came unmolested until they reached the mouth of the Niagara River — where in the Waters which divide the two countries they were assailed by a Military force from the Garrison you command — Brought forcibly on shore the Boats and Goods siezed by a Collector at your Post and the men thus forcibly deprived of the property they had in charge compelled to leave it and their Boats and to cross the River in the best manner they could without the means of prosecuting their Voyage or of returning back from whence they came —

What you Sir as Commanding Officer may think of in forcing these very strong measures by the aid of your Musketry loaded with Ball some of which reached the houses on the

British side of the River and this against unarmed Men who did not understand your Language nor could conceive your wish *I cannot say* — But had any fatal accident arrisen from this unnecessary exertion of your power — We cannot help thinking that it might have had a very *serious personal consequence to yourself*

This much for the Facts that have passed The Evil that has been done may yet be remedied by giving up the Goods and permitting the men in their boats to prosecute their intended Voyage

If you or the Collector are in any doubt with regard to the Quality of the Goods or their destination for the Indian Trade — this shall be ascertained to you by any proof you can in reason require — If you wish for any security that these Goods shall be delivered at the places of their original destination without change or defalcation I here offer it to you to any extent you can possibly in reason demand —

Should these Goods be detained until your Collector can make his Report and receive an answer from Washington the intention of the Voyage is compleatly frustrated — The Goods may just as well be detained Eight Months as Eight Weeks and this is the time you admit an answer may be expected by the Post — As by such delay an absolute impossibility arises of reaching with them in this Season the different inland Trading Posts for which they were intended

Neither you nor I can doubt after reading the 15th Section of the Act of Congress above referred to But that these Goods will be instantly ordered to be delivered back and will you assist your Collector in detaining them contrary to an express law of your own country with the certainty that their detention can produce no sort of good or advantage either to you or to him but must be attended by incalculable loss to the other party?

I address this to you as I am well assured your advice to the Collector will have full effect in determining his conduct

I am Sir &c

R HAMILTON

Captain Leonard

Commanding the Troops of the

United States Fort Niagara

From Thomas Clark to Bleakley and Pothier

Kingston May 24th 1808

Messrs Bleakley & Pothier

Gentlemen

Ere this reaches you will have learnt by Mr James Crooks that eight of your Boats going round the Lakes have been stopped and seized by the American Custom House Officer at the Garrison of Niagara on Saturday last Mr Hamilton and Mr Thomas Dickson being then at Niagara went over to the Garrison and entered a protest against the Collector's conduct — the Collecter said his reasons for seizing them were because they had not regularly entered and reported in passing — On Saturday evening when I first heard of their seizure I learnt that nine Boats were still behind and that the Americans had sent down the Lake to intercept them I immediately got a Boat and with some of my acquaintances went down the Lake in the night and had the good fortune to fall in with them first, about 18 Miles below Niagara Fort and had the good luck to bring five of them along with us to this place the other 4 having escaped us last night and went ashore from fatigue not having stopped since I first found them at the 18 Mile Creek I however think they will arrive this evening and escape the crew of the Niagara Collector who followed us near 100 Miles. I brought La Belle along with me from Niagara, who will conduct the Boats round the north side of the Lake — At my return to Niagara I will dispatch the three Boats that escaped to Sandwich as also the nine when they arrive, distributing amongst them the crews of the 8 Boats that were seized presuming that you will require all the men to send into the Indian Country

Finding a vessel at this place just going off to Niagara I return with her not having been here *two hours*, when I get home every effort shall be made to get the Goods and Boats released in the meantime I think you will do well to apply at Washington for their being delivered up

I am Gentlemen
Your very obed Servant

(Signed) Thomas Clark

From Captain J. Leonard to Robert Hamilton

Fort Niagara May 24th 1808

Sir

I have the honor to acknowledge the receipt of your Letter of the 23rd Instant

From my Military Situation I think it would be highly improper on my part, to go into the discussion of the principles which governed the United States Collector at this Post in the seizure made by him on Saturday last of the Goods, boats &ca stated by you as belonging to the British Mackinac company

I must beg leave however to observe that my reply must be only conformable to the observations I made you on the day of the Seizure in the presence of James Muirhead and Thomas Dickson Esquires of Upper Canada and Doctor Joseph West of the United States Army — That the proceedings were under the direction of the Civil Authority of the United States

In answer to that part of your communication which calls in question the propriety of my Military Conduct as Commandant of this Post — I feel myself bound, from the expression contained therein to observe that the laws of my country exact from me a Sacred regard to its Civil Institutions, and a prompt and ready obedience to its civil authority and that under these impressions and from mature Reflection and deliberation and under the proper application of the Collector at this Post I did conceive it my bounden duty to call forth such part of my Garrison as I presumed commensurate with the object in view

I am Sir &c.

J Leonard

To

The Honble
Robert Hamilton
Queenston

From Robert Hamilton and Thomas Dickson to Lieut Governor Gore

Queenston May 25th 1808

Sir,

Acting as Agents for some of the Merchants in Montreal engaged in the Peltry trade with the Indians in the interior parts of this Country we think it our duty to state to your Excellency a circumstance that has taken place in this Quarter which threatens to be prejudicial in the highest degree to that body in general but particularly to those of them trading under the Firm of the Mackinac Company

In consequence of the Arrangements made this Spring at

Washington with the Government of the United States thro' the Agency of Mr Gillespie a Merchant of Montreal and from which originated (as we suppose) the 15th Section of the last Supplementary Act regarding the Embargo — This Company fitted out and dispatched by the usual Route of the Lakes Twenty Boats laden with Merchandise solely intended for the Indian Trade and consisting of the usual Annual Supplies for these Nations.

On the 21st Instant these Boats were stopped in the Waters which divide the two Countries by a Military armed force from the Garrison of Niagara Eight of them forcibly taken in Shore were seized by the Collector of that Post — The Goods unladen and Carried into the Fort — and the Men compelled to abandon the Boats and Cargoes committed to their Charge were turned adrift, to cross the River to the British side in the best manner they could

We went on hearing this to the Collector at the American Post to inquire into the reason of this extraordinary Measure — We could only learn from him that he had Seized the Boats and the Goods because the Men had attempted to pass a Port of Entry without making a Report a Form we believe only required by the last Supplementary Embargo Act of which these people could have no knowledge a Thing never before demanded from Boats in this trade and to which the Canadians who alone navigated these boats are perfect Strangers

The Commanding Officer on application being made to him declined all interference — having only Acted (as he says the Laws of his Country direct) in Aid of a Collector

Thus situated it was thought expedient to state to him the Commanding Officer *in a Letter* the whole circumstances of the Case offering to him the fullest proofs of the Quality of the Cargoe he could require and tendering to him the amplest Security for the delivery of these Goods at the place of destination and for the sole purpose of the Indian Trade that he could demand A Copy of this Letter as also of the Commanding Officer's Answer we now have the honor to enclose — We have also Joined in a Protest against the Conduct of the American Collector delivered in as formal a Manner as our Situation would admit

Three of these Boats came on Shore on our Side and are with their Cargoes now here — to Nine others that were still behind in the Lake intelligence of the above event has been conveyed and it is hoped they have got back to Kingston but of this we are not yet certain

As the Trade carried on by this Company is of great importance as well to them as to the Inhabitants of this Province And as this extraordinary measure must be Attended with the most serious Inconvenience and heavy loss to all Concerned and as we may foresee but cannot Calculate on the effects it may have on the Minds of the Indians to be thus deprived of their usual Annual Supplies may we presume to hope that your Excellency may deem this an Object worthy of your Attention And that you will have the goodness by a proper Representation in such manner as you may think best to the Government of the United States to endeavour to procure the Restitution of those Boats and Goods for the Company to their Agents here Tho we are well aware that by the loss of time this requires the Object of the Voyage for the present year is totally frustrated — Still the getting back the property may prevent a total loss which most probably will ensue if it is detained for any length of time where now Stored And we would also flatter ourselves that this Representation may have the effect of preventing the Repetition of such Evil in time to come

With unfeigned respect we have &c

R Hamilton
Thomas Dickson

To

His Excellency
Francis Gore Esquire
Lieut Governor — Upper Canada
&c &c &c

From Ralfe Clench to Aeneas Shaw

Niagara 25th May 1808

Sir

I now enclose to you the return of the officers &c &c belonging to the First Regt of the County of Lincoln Militia I also send List for promotion and appointments for the inspection and approbation of His Excellency the Lieutenant Governor The List of Field Officers at Present doing duty with the Five Regiments within this County I beg also to lay before His Eevellency and are as follows

Colonel Ralfe Clench

1st Regt Lt Col Robert Kerr Major James Muirhead	Second Riding of the County of Lincoln
2nd Regt Lt Colonel Peter Ball Major David Secord	Laying within the Third Riding of the County of Lincoln

3rd Regt Lt Col John Warren Major Thomas Cummings	Laying within the Fourth Riding of the County of Lincoln
4th Regt Lt Colonel John son Butler Major John MacKay	Laying within the Eastern part of the First Riding of the County of Lincoln
5th Regt Colonel Peter Hare Lt Colonel Andrew Bradt Major Richard Hatt	Laying within the Western part of the First Riding of the County of Lincoln

According to this order the Regiment have ever paraded at our parade trainings or Reviews the 1st 2d and 3rd Regiments were first organized under and by virtue of Commands from Lord Dorchester the 4th and 5th Regiments under Lieutenants of Counties Should His Excellency the Lieutenant Governor be pleased to number the Regiments it will be the means of preventing jealousy and disputes hereafter should the different Regiments meet on the same Parade as we hitherto have been in the habit of doing

I have the honor to be &c

RALFE CLENCH
Colonel 1st Regt L M

Honble Aeneas Shaw
Adjutant General, York

(Militia papers U C M D 30)

FROM FRANCIS GORE TO D M ERSKINE

Niagara Upper Canada
26th May 1808

Sir

The importance of the inclosed papers No 1 2 & 3 requiring that your Excellency should be put in possession of them with the least possible delay I have forwarded them as soon as received

The Honble R Hamilton from whom I received them is a Gentleman of the most respectability in this Province a Member of his Mjesty s Legislative Council and a Man whose representations may be entirely relied on

The several documents detail so accurately the Conduct of the Officers of the United States Government that it would be Superfluous for me to add any observations of my own more than to Express my strong apprehensions that the restraint which his Majesty s Government have with so much anxiety and Success laid on the Indians hitherto will become difficult and unavailing when they are informed that the usual Annual Supplies intended for them have been Seized by the Officers of the American Government.

I have the honor to be &c

FRANCIS GORE
Lt Governor

His Excellency
The Honorable
David M Erskine,
Washington

(Sundries Upper Canada 1808.)

A letter from Queenston published in the *Quebec Gazette* of July 14 announced Gore's hasty departure for Amherstburg three weeks later.

Queenston Upper Canada June 16

"Our Lieutenant Governor has been sent for by express from the Indian agent near Detroit and sets out by land this day for that quarter. It is reported that some very violent resolution adopted by the Indians (on hearing that their usual supplies for their trade were stopped by the American government at Niagara) has occasioned this sudden and unexpected measure. God grant that no mischief may take place before he gets up. Col. Claus is still there and the Governor takes with him most of the other officers of the Indian department."

Gore's journey was reported in the following terms in the next issue of the *Upper Canada Gazette*.

"His Excellency the Lieut Governor left this place York on the 15th instant on a visit to Sandwich &c. We are sorry that he did not as he originally destined proceed by Lake Huron according to his amiable intention and view of promoting the first interests of this province."

FROM WILLIAM ARMSTRONG TO FRANCIS GORE

Quebec 26th May 1808.

Sir

I had yesterday the Honor of receiving yours of the 30th March which was forwarded I suppose from New York to Montreal from whence I received it. About the time you wrote I left the United States from whence I should most Certainly have written you had anything serious been likely to take place but as I have all along been Convinced that it was not the Intention of that Government to go to War with Great Britain *If they can possibly Avoid it* And all their proceedings being published in the News Papers I thought it unnecessary to trouble your Excelly with my Correspondence more particularly as I was then ignorant of the *proper* mode of Conveyances

Previous however to my leaving that Country I left Directions with two of my friends at Wash and N York that in case they saw a Necessity for it to send you immediate Information by Express — As I know nothing has Occurred of the smallest Consequence you of Course have not heard from them If you should the first will be Dated F and signd L — the other will be Dated A and signed B — and on their Information you may rely

Notwithstanding all the Supplements and Attempts to Enforce the Embargo or more properly the Non Intercourse Act Immense quantitys of Produce Comes in by every fair wind from Lake Champlain and the Inhabitants of Vermont publickly Declare they will not allow it to be Stopped — of this the Government is Convinced and rather Chuse to wink at the Infringment than run the Risk of an Insurrection which I really expect will take place should the Embargo Continue a few months longer — But a war with France is daily expected & almost unavoidable

The New York Papers will have given you the particulars of the Wonderful Change that appears to have taken place in Spain which I think will be the means of inducing our Government to pay some Attention to Col Burr's proposals with which I have good reason to believe he is either gone or immediately going to Britain — *This to yourself only* I have Communicated it to your friend Mr C in order that he might be prepared to meet it — No other person knows of it

Seventeen Ships & Brigs arrived here within these two Days from Halifax Britain Ireland & the West Indies & many more are Expected but I dont find they bring any News Excepting that on the 4th Inst a Report prevailed at Bermuda that a large proportion of the Troops there were about to proceed for this place —

I arrived here the end of last Month & have Reason to believe I shall remain with Sir James Craig who tho' much better than he was when I arrived is still far from being so well as I sincerely wish him —

Should I not remain here it is my intention to pay a visit

to Upper Canada for the purpose of paying my Respects to your Excellency & in Person Assuring you that if *in any way* I can be of Service to you you may Command & Believe me to be with perfect Esteem

Your Excellencys
Most Obed Hble Sevvt

(Sgd) Wm Armstrong

His Excelly
Lieut Gov Gore
Etc Etc

From the Merchants of Montreal to Hon D H Erskine

To His Excellency the Honorable David Henry Erskine
His Majesty s Minister Plenipotentiary to the United States of America and Washington

The Memorial of the Merchants of Montreal carrying on Trade to the Indian Country within the American Territory

Respectfully Sheweth

That your Memorialists having been apprehensive that the Revenue Officers of the American Government on the frontiers of the Indian Territory might interpret some of the Laws that were existing and had recently been passed in such manner as to impede that free intercourse which your Memorialists as British subjects have a right under an existing Treaty to enjoy in trading with the Indian Nations were induced in March last to represent the same to His Excellency the Governor in Chief of the two Canadas who was pleased thereupon to refer them to you on the subject by transmitting to your Excellency by Geo Gillespie Esquire the Memorial they had presented to him for the especial purpose of obtaining such explanations of those laws as would secure such free trade and intercourse with the said Indian Nations as were stipulated by the Treaty of Amity and Commerce between Great Britain and the United States concluded in 1794 and further confirmed by an explanatory article thereto made in 1796

That in consequence a Law was passed by the Legislature of the United States apparently so clear and explicit as removed the apprehensions that they had entertained and the Trade which before had been entered upon was continued to be prosecuted in full faith and confidence that no molestation or impediment whatever would thereto be given But notwithstanding the said Treaty and the said Law of the American

Legislature your Memorialists have learnt to their utter astonishment that a number of Batteaux belonging to your Memorialists laden with Merchandise for the Indian Trade have been lately seized at Niagara by the Revenue Officer there, aided by the Military power of the Garrison as your Excellency will see by the annexed letter from the Honorable Robert Hamilton Esquire one of the Members of the Legislative Council of Upper Canada at a time too when it would appear by said Letter that the Revenue Officer was acquainted with the Section of the Law which took the Indian Trade carried on from this Country completely out of the operation of the Non Importation and Embargo acts of Congress

That this wanton and unjustifiable attack by the Collector on the property of your Memorialists and actual hostility of the Military on the persons of their Servants who are subjects of His Majesty will not be sanctioned by the American Government they are persuaded but unless such violations of Amity law and justice are put a speedy stop to by the most precise orders from the Superior to inferior Officers at a distance the Treaty will be a mere nullity — The Trade must be abandoned, and all those concerned in it ruined

That this detention of property and the consequent dispersion of the Servants of your Memorialists the Crews of the said Batteaux who are thus turned adrift will so seriously break in upon the Trade of the year as to occasion a loss that may exceed fifty thousand pounds — for the Goods so detained being an essential part of a general assortment for Indian Trade must render the whole nearly useless as the want of them will be much felt in the same manner as would arms without ammunition or ammunition without arms — besides an immense expense has already been incurred from the necessary preparation for the usual Trade and which expense cannot now be prevented or curtailed — all this is so truly the case that even the restoring the detained goods at as early a period as now practicable can only repair a small part of the injury so wantonly done and will not prevent your Memorialists from looking to a full pecuniary indemnification in proper season at the hands of the American Government for the loss and injury that must be sustained by this distruction and hostile measure and in the prosecution of which claim to full indemnification they look forward with full confidence to the support of His Majesty s Government

That your Memorialists are further informed that the furs and skins arising from the Indian Trade within a part of the American Territory have been stopped on the Miamies River and prevented from being brought to the places of resi dence of the proprietors within the British dominions of which they are subjects and if the same measure of injustice is extended to Michilimackinac your Memorialists confidently assert that the eventual loss may exceed two hundred thousand pounds Sterling

Your Memorialists consider the stoppage and seizure of the Batteaux in question as a gross violation of the Treaty of 1794 in this further point of view that *the right* to navigate the Lakes Rivers and waters of the Continent of America within the country of the contracting parties is most precisely thereby secured under *such right* those Batteaux were loaded at Montreal for a destination far beyond Niagara and to go by the accustomed route which necessarily leads them to coast the British shore of some of the Lakes and the American shore of some of the others according as the said shores of one or the other are most favorable to safe navigation in Boats

In the present case those Batteaux were peaceably proceeding to their said remote destination along the American shore of Lake Ontario and when crossing as usual from the point at the entrance of Niagara River over to the British side of that River they were most unjustifiably fired upon and brought back although borne either by British Waters or those to the use of which his Majesty's Subjects had an unquestionable right It will not therefore escape your Excellency's observation that His Majesty's Subjects being so fired upon when out of the American Territory and some of the Balls actually coming over to the British side, places the transaction upon a footing of most decided and unequivocal hostility

The collector is said to support his conduct upon the pretext of their not stopping to report — The right to demand such stoppage and report when coasting the Lakes and Rivers of communication between them merely for the purpose of arriving at a distant destination your Memorialists have ever denied and now deny and they rest their pretensions upon the fair interpretation of that Treaty which universal practise has hitherto sanctioned and which is confirmed by an instance on Lake Huron near Michilimackinac where a seizure of some Boats belonging to the North West Company being made by the Collector of that Port the property in such Boats was after a full discussion in the American Courts restored

That under all these circumstances your Memorialists urge the necessity of your Excellency's making a strong representation to the American Government upon the subject of complaint and obtaining from the proper authority such explicit instructions to the Revenue and Military Officers as may immediately liberate the property detained as also that without loss of time

instructions be sent to all the interior Posts to enjoin in future a liberal and just compliance with the Treaty of Amity and Commerce and the fifteenth Section of the 4th Embargo act which relates to the Indian Trade

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GEORGE GILLESPIE ⎨ for the
TOUSSAINT POTHIER ⎪ Mack w
DAVID MITCHELL JNR ⎩ Company

Montreal 27th May 1808

FROM JAMES McGILL TO HERMAN W RYLAND

Montreal 30th May 1808

Dear Sir —

I beg leave to trouble you with a Memorial from the Merchants of this place carrying on the Indian Trade within the American Territory to His Excellency The Governor in Chief and copy of a memorial to His Excellency David Henry Erskine His Majesty's Minister Plenipotentiary at Washington which they despatched by a confidential & Special Agent yesterday and they request you will lay the same before His Excellency the Governor in Chief — Copy of the Letter from Mr Hamilton & Spoken of in the Memorial would have accompanied these but it was forwarded yesterday by Brigadier General Brock & renders it unnecessary to trouble you with another — The Merchants were most desirous of having the recommendation of The Governor General to Mr Erskine but as this would have occasioned delay & every Hour being precious under the existing circumstances they thought it best not to lose any time more especially as they know His Excellency's sentiments on the subject of the Indian Trade by his ready assistance in March last when Mr Gillespie went to Washington on that business

I think it right to add that since the Memorial to His Excellency was framed the Merchants have received information from the Conductor of the Battoes that were seized that he had five Battoes under his Charge with three of which he reached the British side & two of them were seized that he was fired upon by the Men from the American side who came off in a Battoe to stop them — That six other Battoes were seized which had not come up when he passed the American

Fort & he thinks must have been at some distance from the Fort when seized That further an American Boat was despatched with armed Men with the evident purpose of laying Hold of Nine other Battoes loaded which were yet in the Lake & were only prevented by the greater Celerity used by Mr Clarke of Niagara Agent for the Memorialists who in a light Battoe well manned & armed went out into the Lake to meet these nine Battoes & succeeding in bringing them back to Kingston notwithstanding they were pursued for a length of time by the American Battoe

It is proper to mention for the information of His Excellency that the Battoes in question were twenty in number divided into four Brigades that they passed Oswego an American Fort & Custom House without molestation notwithstanding they were in reach of the Collector who saw them pass & was heard to declare by a Person now here that he had no right to stop or molest them — From this circumstance it would seem either that the Collector of Niagara had not similar Instructions or if he had he has wantonly disregarded them & injured the concerned to such extent as few private fortunes can bear & still fewer make up for — Conceiving however that a different line of Conduct will obtain at the other American Ports The Merchants mean to prosecute their business trusting that the heavy Loss they must sustain will be considered worthy the notice of the Government & compensated in due Season

I have the honor to be with your truth & regard Dear Sir

Your obedt & very h ble Servt

JAMES McGILL

Herman Wit Ryland Esq

P S Since writing as on the other side Mr Clarke s letter has come to hand and I am forwarding a copy of it

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of The Bath Captain General and Governor in Chief in and over the Provinces of Lower Canada Upper Canada Nova Scotia New Brunswick and their several Dependencies vice admiral of the same general and commander of all His Majesty s Forces in the said Provinces of Lower Canada and Upper Canada Nova Scotia and New Brunswick and their several Dependencies and in the Island of Newfoundland &c &c &c

The memorial of the merchants of Montreal carrying on the Indian Trade within the Territory of the United States of America

Most Respectfully sheweth

That your Memorialists have been lately informed by letter from the Honorable Robert Hamilton of Niagara a member of The Legislative Council of Upper Canada that a most violent and hostile attack had been made on their Boats and Battoemen carrying Goods for the purpose of the Indian trade on passing the American side of the River of Niagara, by seizing their goods to a great value and firing on their Battoemen

That in consequence of this information Your Memorialists considering the necessity of losing no time in applying for Redress have dispatched a confidential and special agent to Washington with a memorial to His Excellency D H Erskine His Majesty s Minister Plenipotentiary on the subject and of this memorial and Mr Hamilton s letter copies accompany the present for your Excellency s fuller information and to which they pray your attention

That your Memorialists after the representation transmitted by your Excellency on the same subject in March last to the Honorable Mr Erskine to which so satisfactory an answer was given by the American Legislature passing a law to exempt the Indian trade from the non importation and embargo Acts in as much as they might relate to British Subjects trading with the Indians within the American territory see with pain and astonishment that neither the Treaty of amity and commerce between Great Britain and the United States of America nor laws made by themselves are sufficient to prevent the subordinate officers of that government from committing acts of violence and injustice on British Subjects and insulting to Government

That in addition to the representations made to Mr Erskine your memorialists have to state that if the Battoes have been fired upon and the goods seized because they were passing an American post without making entry of such goods the waters of Lake Ontario and all others along the chain of internal communication must be considered as interdicted to British Subjects for vessels must frequently from contrary winds be under the necessity of approaching within gun shot of the American shore and were they to be forcibly stopped for not reporting at such Posts the whole intercourse of merchants vessels from British Post to British Post upon the Lakes would be stopped a pretension too absurd to be endured as it might expose to seizure the Furs of The North West not coming from the American Territory and Flour and other Provisions coming direct from Detroit or Niagara within His Majesty s Dominions for we do not consider the exemption from the non importation or Embargo Laws as conferring the right of navigating the Lakes We ground such right on the Treaty of Amity and Commerce, which to the subjects and citizens of Great Britain and the United States of America gives the free use in common to both of all the waters which divide their respective Territories in America

That your Memorialists seeing the insecure state in which by this assumption of Power the whole Trade of the Upper Country is placed do for themselves and others concerned in it most earnestly entreat that you will lay their complaint before His Majesty's Minister that they may adopt such measures for granting relief and security in the premises as they shall deem necessary and in the meantime they pray that your Excellency will be pleased to communicate your sentiments to Mr Erskine on this subject and give such directions to the proper officers of Government who are charged with protecting the subject and his property as in your wisdom you may see fit

Your memorialists beg leave to add that as soon as further communication on this subject comes to their hands they will communicate the same to your Excellency and being fully aware of the loss and injury that they will sustain by this forcible detention of their property and violent act of Hostility they mean to claim full pecuniary compensation from the American Government for the same through the channel of that Government of which it is their pride and Glory to be subjects
Montreal, 30th May 1808

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J BLEAKLEY for self   Agents
GEORGE GILLESPIE   for the
TOUSSAINT POTHIER   Mackinaw
DAVID MITCHELL JNR   Company

THE QUEBEC GAZETTE

Thursday June 2 1808

MONTREAL 30th May 1808—We learn from Niagara that several Boats belonging to the Michilimackinac Company on passing that place were fired upon by the American fort and brought to and the property seized which was afterwards demanded by Mr Hamilton a British merchant who produced the late clause of the Embargo act as a proof that the act was unlawful The only answer which he received from the American commander was that he construed the act in a different manner and he should detain the property and take the consequences upon himself On firing upon the boats some of the balls are said to have passed over upon the British side Considerable damage is also said to have been done to the boats before they were brought to

THE FOLLOWING IS THE CLAUSE OF THE ACT ALLUDED TO PASSED THE 22D APRIL LAST

'Sec XV And be it further enacted that nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States or in the several acts supplementary thereto or in the act to prohibit the importation of certain goods wares and merchandize shall be construed to prevent the exportation by land or inland navigation from the territories of the United States into those of Great Britain of furs and peltries the property of subjects of Great Britain and by them purchased from the Indians or to prevent the importation by land or inland navigation from the territories of Great Britain into those of the United States of merchandize the property of British subjects and by them imported solely for the use of the Indians aforesaid '

An extract from a letter from Thomas Clark to Colonel Talbot at Port Talbot dated at Queenston on June 7 shows the dislocation of commerce caused by this event

The bearer Le May Conductor of font Boats going round the Lake will deliver you three parcels — one containing news papers one clover and Rye grass seeds — the other One hundred Dollars By the Boats at this time I was in hopes to have sent up your other articles but from 8 of them having been seized at Fort Niagara by the American Collector & 5 from desertion of the men being left at Kingston puts it out of my power having had to load the others deeper — every thing shall be sent to Fort Erie and can easily be taken to Long Point by Loders vessel that is should no direct opportunity offer for Port Talbot

Robt Nichol has gone to Washington to endeavour get his 8 Boats & goods released I expect to hear of him in the publick papers before he returns '

(Coyne Talbot Papers I 98 9)

FROM JOHN RICHARDSON TO HERMAN W RYLAND

Montreal 20th June 1808

Sir —

I have had the honor of receiving your letter of the 15th instant inclosing by command of the Governor in Chief a copy of a letter to Mr J A Panet Mr J T Taschereau

Mr P Bedard Mr J L Borgia and Dr Blanchet dismissing them from their situations as officers of Militia and to Mr Plante dismissing from the office of Inspector of the King s domain and clerk of the Papier Terrier as also of a Letter to the Hon ble G Taschereau Esquire desiring that his Son Mr J T Taschereau should be no longer employed as his Deputy in the office of Grand Voyer for the District of Quebec and in all which Letters the reasons of dismissal are assigned

I have to return my most respectful thanks to His Excellency for his condescension in making this communciation which I beg leave to express through you

Mr Michael who carried down the memorial to Mr Erskine about the seizure of the Boats at Niagara is already returned having found him at Philadelphia from whence he immediately returned to New York with a dispatch to Mr Gallann then there — From that gentleman however no satisfaction could be had as he would not interfere in any shape until he had received the report of the seizing officer, which could not be before his return to Washington

He seemed however to justify instead of condemn the requirement of an entry and report to their Custom Houses even when only coasting their shore for an ulterior destination which principle has never before been acted upon but in one instance where the decision of their own courts was adverse thereto nor can it ever be admitted by British Subjects without rendering the right of Navigation by Treaty nugatory or even worse as a Trap for our Trade thereby to expose it to vexations that must speedily produce its annihilation — This probably is their object There is such a want of good faith on the part of America in the execution of all Treaties that we have been from first to last completely duped by giving up a substantial something to receive what by their practical exposition may amount to nothing or even worse than nothing an actual loss of property

From this little specimen at Niagara it may be seen how Jonathan would illustrate his favorite doctrine of the Liberty of the Seas if he possessed the power of the British Navy

Mr Michael on his return to New York found there Mr Nichol the person dispatched by our agents at Niagara on the same business and who intending to proceed on to Washington to obtain a final answer it became unnecessary for the former to go there also — This is the reason of his bringing no dispatch for the Governor in chief as when he left Mr Erskine at Philada it was under the impression of again seeing him — He forwards to day a Letter from Mr Bond —

The last Raft on Lake Champlain has been brought in by force — There was a good deal of firing with Ball between the people of the Raft and Militia but no lives lost, although both sides seem to have been in earnest.

I very respectfully am
Sir
Your Most Obedt Servant

John Richardson

Herman W Ryland Esquire
Endorsed
20th June 1808

From Mr Richardson in answer to the letter announcing the removal of certain persons engaged in publishing the *Canadien*

From James Madison to D M Erskine

Department of State
June 29th 1808

Sir

Your Letter of the 21st Inst on the Subject of the detention by the Collector of Niagara of certain Boats belonging to Canadian Merchants engaged in the Indian Trade was duly received and communicated without delay to the Secretary of the Treasury on his return to this City The inclosed Copy of his instructions (*) to the Collector will explain the Interposition which has been thought best adapted to the Case under the imperfect knowledge yet obtained of the Circumstances I will make no other addition to it therefore than merely to observe that if as the Agents of the Montreal Merchants seem to be aware a Law of the United States was violated without any other Plea except that of Ignorance, the Tone of their Complaint ought to have been very different and that a resort to the Justice of the Government of the United States in all Cases to which it is applicable will always be found by the Officers of His Britannic Majesty the most efficient as well as the most suitable Course for their adoption

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From D M Erskine to Francis Gore

Philadelphia July 4th 1808

Sir

I had the Honor to receive your Letter of the 26th of May with its several Inclosures respecting the seizure & Deten-

tion by the Collector of Niagara of certain Boats belonging to the Merchants in Canada engaged in the Trade with the Indians.

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* These Instructions order the Boats to be released by the Collector who is to take Security for the Goods to abide the Decision &c

The inclosed Letter will explain the Result of my Application to the Government of the United States upon the Subject & Mr Nicholl is the bearer of the Instructions (refer'd to in Mr Madison's Letter) which have been given by the Secretary of the Treasury to the Collector of Niagara upon the Occasion

And I have forwarded to Sir James Craig Copies of the Correspondence which has passed upon the Subject between the Government & myself which I have not put under a flying Seal for fear you might not happen to be at the Seat of Government but request the favor of you to open them & after having read them to transmit them to Sir James Craig the Governor in Chief by the earliest Conveyance

(Sundries U C 1808)

Signs of unrest and discontent among the Six Nations in Upper Canada and the United States were apparent and did not fail to cause considerable anxiety

From William Claus to Prideaux Selby

Fort George 10th August 1808

Sir

A vast number of Indians are at this Post just now upwards of one hundred & sixty several from the Grand River who complain of the great distress they are in for Bread those who I find are in real want and not through Idleness or their having sold their Corn I will give them a little relief it will not be Long before the Corn will be fit to use consequently Less flour will be given them than otherwise — The others from Buffaloe Creek and that Neighborhood I met them this day when they Declared very Publicly that the statement made by their Interpreter respecting the war Belt being given to them by me was unjust and Denyed that they ever told the Interpreter or the Agent Mr Granger any such thing — That in their Council Last spring they shewed the Belt which I gave them on the differences between the Grand River Indians being made up which Belt was to cover all past Animosity They then told me that they had come to a Determination to sit quiet in case of any quarrel between the King and America and not to spill the Blood of the white men and that their Friendship for the King was firm — I merely returned them the usual compliment and said very Little more to them to shew them that I was not pleased with their Conduct — The Missisagoes are also here to the Number of 51 they are very inquisitive about the additional Payment for the Land they sold three years ago on the subject of which I would be glad to hear

The Requisition for the post has not been completed and what with those things sent to Amherstburg Last fall and the great Demand on the Store of *This* Post for the payment of *all* public Service performed by Indians will reduce Our Annual presents very considerably indeed

I am Sir &c

W Claus

P Selby Esquire
&c &c

(Claus Papers Vol 9 pp 239 240)

The following letter which is unsigned but initialled by the Governor General for transmission to the Colonial Office was probably written by John Norton who had acquired great influence among the Six Nations of the Grand River

Grand River 10th August 1808

Dear Sir

Your intention to attempt the civilization of the Tribes within the British Limits as also the present appearance of the disposition of the Americans which indicate that it is not improbable for a rupture to take place between them and the British Empire induce me to give some Ideas of our situation it striking me forcibly that either to civilize the Tribes or to hold them in a situation ready to give assistance to the British Government it is necessary that their settlements should be more compact than they are at present

The intention of the Americans towards the Tribes is sufficiently clear the annuities they allow them for the lands they have usurped are intended to sooth them and retain them within their power The Senecas or Oudowages who are the most numerous branch of the five Nations are detained within their Limits by this measure an annuity arising from the Lands they have relinquished amounting to somehting more than 6000 Dollars is paid the Nation which divided gives 3 Dollars to each person several of the Principal Chiefs receive annually from 100 to 300 Dollars thus Interest retains them contrary to their affections for I feel assured that they are more sincerely attached to the British and to their Brethren here than they are to the Americans The Oudowages and Cayugas received annuities for their lands 2 500 Dollars each Nation these have suffered a considerable Diminution this year through the medium of those of the Nation who remain within the American Bound-

ary but whether at their instigation or not I cannot pretend to say

As the Tribes are under the protection of the British Government and the Annuities are more than a just debt would it be improper for His Majesty to interfere and issue the payment of them to the Tribes should they remove within the Limits of his government or should a War take place and they espouse his cause The whole amount of this which is the only support of the American influence with the five Nations falls short of 12 000 Dollars Yearly a sum not at all to be compared to the great Expense of the Indian Department The sale of a few Townships of land made by Government in this Country might raise a sufficient sum to create such an annuity

After breaking the bands of American influence the next thing to be effected is to collect the Five Nations in One Settlement either on the Grand River or to the Westward of the River Thames towards the Shores of Lake Huron in the first situation they would be more under the eye of Government in the latter more conveniently situated to serve them in negociations with the Western Tribes and less exposed to be contaminated by the vices of those kind of people that are continually crowding into New Settlements 1200 Men collected into one settlement might be more relied on in time of War than scattered Divisions and would require little more trouble to improve and Civilize than a settlement of a much smaller number

I have heard it remarked that something has been said at York respecting the utility it would be of to the Country to have the five Nations removed from the Grand River to a more westerly situation but I am glad to hear also that His Excellency the Lt Governor observed he would do nothing in it unless it should be proposed by the Five Nations themselves

As this subject has been stated I shall give you my private opinion on it The grant of General Haldimand is so long and narrow and the settlements so new as that it is impossible for us to keep liquor from among us unless when the people have resolution to refrain from drinking The people would be more distant from the Americans consequently less liable to be corrupted by their Intrigues More approximate to the Chippawas Ottawas Pottawattomies Shawanoes Wyndots Miamis and others from the Southward that might be collected between the Lakes and the Mississippi as I have already mentioned in a Letter to Mr W

On the other hand as the Grand River lands are of such higher value from their situation than any we could receive

on Lake Huron (lands not equal in fertility for five miles from us sellink now for five and six dollars an acre) it would be neither reasonable nor just to obtain them from the five Nations and grant them away to others neither would it be to the advantage of the Country The Government should first take a view of the whole and provide that none of the Industrious be injured by the change by giving individual grants to every Family or Man that had made any improvement according to the extent of their improvements then the sale of the remainder to be made under the inspection of Government and after securing annuities superior to those paid by the Americans with the remainder purchase a tract from the Chippawas on Lake Huron such as might be chosen by the Five Nations convincing them in the whole proceeding that the Grant of General Haldimand was not violated but changed to remedy the difficulties it had been involved in

As the lands on Lake Huron from their situation are not likely to be wanted by Government this Century the same extent should be given to the Five Nations as General Haldimand granted only in a different form instead of 120 by 12 let it be 50 by 30 a Mission might there be established for giving Religious Instruction and a Seminary formed to instruct the Youth in Agriculture and Letters

For the encouragement of industry a Trader should be placed on our settlement with useful Articles such as Blankets woollens cottons iron cutlery and ammunition with these to purchase Wheat and Pork as well as skins the money of the Five Nations placed in the bank by the Agents of Government might in this manner be turned to the Support of Industry those cultivators of known industry and economy might be allowed to borrow of the public to half the amount of the property they possess in improvements cattle &c or mortgaging the same for the payment to pay annually the interest and so much of the principal as to discharge the whole in twenty years or sooner should he who borrows see fit

Many are the obstructions and clogs to industry existing in the customs of the Five Nations more than in any constitutional Indolence I know it because I have felt the inconvenience myself, but if we can make a good road I feel assured that there will be some to walk on it and time may at last effect the desirable change

The Mohawks are improving rapidly there are several so much agriculturists as to raise three or four hundred bushels of Wheat in the Year those who suppose that the being farmers will debilitate them from being Hunters are mistaken The most industrious at the plough generally shew themselves the most persevering at the chase when in Winter they throw aside the hoe and take up the gun

I wish you to understand this not as proposal from me but rather as the most equitable and justifiable method to be taken by Government should the supposed good of the Colony induce them to desire any further relinquishment of the claims of the Five Nations and should such a change take place the tract of land given in exchange should be sufficiently capacious to assemble therein all the Tribes of Upper Canada Their being collected in a body would be more for the good of the Empire in case of a War and a teacher with little more exertion would be in a situation of aiding the cause of religion much more extensively as a fowler who fires at a great flock of Pigeons has a chance of killing many more than if he had shot at a few

The influence of Government might also be maintained among them by a resident on the spot much more effectually than it can be by a Superintendent General at the distance of some 100 Miles frequently unacquainted with the Tribes they superintend

The great expence the Government is at in sending out goods and employing Store-Keepers and Clerks might be rendered unnecessary by furnishing an annuity in the manner I have already explain to counterpoise that given by the Americans and a respectable trader appointed by your intended society would furnish the necessary Merchandise according to the varied wants of the Individuals Only in case of War the Arms Ammunition and clothing wanting for those who embodied themselves to serve might be furnished by Government

The situation of the British in this Country is at present very similar to that of the French at a former Period The great disparity of the force of this Province to that of the United States & its inland situation renders an alliance necessary and except the Senecas whose Character Mr T does not seem to be acquainted with the Aborigines are natural Allies from their antipathy to the Americans and Affection to His Majesty The French to secure more effectually the services of the Tribes always used their utmost endeavours to have their settlements compact which they effected in the Neighbourhood of Detroit on the Wabache & near Montreal The latter consisting of the Catholic Mohawks and a few Radonodacks are at present the only remains of this management in three Villages not very distant from each other there is upwards of six hundred Warriors

In the present situation of things this Province is much exposed to any sudden attack of the Americans particularly should they commence hostilities at a season when assistance could not be readily obtained from Europe and to keep up constantly a Military Establishment adequate to the defence of so extensive a Province the expense would be enormous

To remedy this inconvenience a Military Settlement might be formed on some Townships of the Crown lands composed of a few thousand Veterans who would receive their lands on condition of holding themselves in readiness at the call of Government to serve in Defence of the Country Although as strangers they might at first find difficulties in settling a country so different from their own yet with a little well administered assistance at the commencement and giving proper encouragement to some loyal Americans to mix with them they might soon obtain a comfortable living

Such a well disciplined Militia together with our Tribes & the loyal part of the Militia of the Province might form a sufficient Army of defence for any sudden emergency

J H C

Early in the year 1808 the Public School for the District of Niagara otherwise sometimes known as the Niagara Grammar School in accordance with the terms of the public school act of 1807 was established in the town of Niagara The trustees nominated by the Lieutenant Governor were Hon Robert Hamilton Thomas Clark William Dickson Robert Kerr Thomas Cummings James Muirhead and John Symington The Reverend John Burns the resident minister of the Presbyterian churches in Niagara and Stamford was appointed teacher by them The sum of £100 was allotted from the provincial treasury toward the maintenance of each district school

FROM ROBERT HAMILTON TO WILLIAM HALTON

Queenston Aug 28 1808

Sir

The trustees for the public School at Niagara having rectified the Certificate for the Master s Salary I have now the honor to return that paper to you I have in their Name to request that you will have the Goodness to place it where it may be effecient

(Sundries U C 1808)

Having been exiled from France the distinguished General Moreau had lived quietly in the United States for several years Popular rumour stated that in the event of a war with Great

Britain he would be offered the command of an army for the invasion of Canada This statement led to his unauthorized arrest while in Niagara after paying a visit to the falls

FROM HENRY PROCTER TO COLONEL AENEAS SHAW

Fort George 15th September 1808

Sir

I have the honor to acknowledge your Letter of the 1st September which indisposition has prevented my doing sooner In answer I have to acquaint you for the information of His Excellency the Lieut Governor that the French General Moreau was neither apprehended nor liberated by me he arrived at the Inn at Newark on the Evening of the 27th Ultimo where he remained to the best of my information until the Morning of the 28th when I saw him and informed him that not having the Sanction of His Excellency the Lieut Governor he could not remain in the Province he then acquainted me of his intention to leave the Province immediately by the same route he had entered it which I understand he did without loss of time On my having asked him if he had any Passport he acquainted me that be had sent from Buffaloe to the Magistrate at Fort Erie to know if there was any objection to his entering the Province whose answer was that he knew of none General Moreau I understand was apprehended and liberated by Colonel Clinch not having any Authority to interrogate him or others concerned I must beg leave to refer you to him for the particulars of the General s Apprehansion &c

(Sundries U C 1808)

Captain Cowan whose death is recorded in the next letter had served in the Royal Navy for four years and afterwards commanded a ship for twenty eight years on Lake Erie in the provincial marine He was one of the members for the county of Essex in the fourth provincial parliament from 1804 until 1808 and owned a farm near Fort Erie where he operated for some time the international ferry to Black Rock

FROM HENRY PROCTER TO WILLIAM HALTON

Fort George
September 25 1808

Sir

I am sorry to inform you of the Death of David Cowan Esqr Commander of His Majesty s Snow Camden which occurred on the 24th Instant at Fort Erie

I beg leave to say that this is not the first Occasion I have had to regret the Want of medical *skill* at Fort Erie

(Sundries U C 1808)

The supply of the troops in garrison and other military departments created a considerable demand for fresh provisions and flour which was usually supplied by local contractors.

FROM JOHN McGILL TO FRANCIS GORE

York 15th October, 1808

Sir

In obedience to your Excellency's order of the 16th August 1808, I have the honor to Report that I have agreed for a Supply of Fresh Beef which is to be furnished to the Troops and Military Departments in Upper Canada by the quarter during the undermentioned periods and at the prices stated after each Post vizt

Fort George—David Secord from 25th September to the 31st December 1808 at Two pence half penny pr pound, and from 1st January to 24th March 1809 at three pence Halifax Currency pr pound

Chippawa & Fort Erie—Samuel Street Junr from 10th October to 31st December 1808 at One pound two shillings and six pence Halifax Currency for every One hundred pounds of Beef

(Sundries U C 1808)

Another visit by the Lieut Governor to Niagara at the end of this month was briefly recorded in the *Upper Canada Gazette* of October 22

"On the 17th instant his Excellency the Lieut Governor and Major Halton sailed for Niagara in the *Toronto Yacht* It was His Excellency's intention to have gone there on Monday last He embarked for the purpose and received an honorary salute from the Garrison Excessive gales and a succession of head winds delayed his proceeding until Thursday morning "

His return in the same ship on November 6 was subsequently reported

The great delay of the United States government in investigating the complaints of the proprietors of the boats which had been irregularly seized by the collector of Fort Niagara provoked another forcible petition from them, probably prepared by the Hon John Richardson then a member of the Executive Council of Lower Canada

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of the Bath Captain General and Governor in Chief in and over the Province of Lower Canada Upper Canada Nova Scotia New Brunswick and their several dependencies Vice Admiral of the same General and Commander of all His Majesty's Forces in the said Provinces and their several dependencies and in the Island of Newfoundland &c &c &c

The Memorial of the Merchants of Montreal carrying on Trade to Michilimackinac and the Indian Country within the Territory of the United States

Most respectfully Sheweth

That it is with great regret they find themselves under the necessity of again troubling your Excellency with their complaints against Officers of the Government of the United States but the necessity arises from the outrage committed and before complained of being still unredressed

That the subject may be fully before your Excellency without reference to their former Memorial they take the liberty of again stating the facts with such observations thereon as circumstances so extraordinary suggest

The case stands thus — The Company trading from Montreal under the Firm of the Michilimackinac Company who are Subjects of His Majesty dispatch'd early in May last from La Chine a number of Batteaux or Boats laden with Merchandise intended eventually for Trade to the Indian Country and which were ordered to proceed and were proceeding by the accustomed route (being that uniformly practised since the cession of the Posts by the Treaty of 1794) up the River Saint Lawrence and round the Lakes to the *Island of St Josephs* a British Post (without an idea of intermediate Trade) at which Post they were to be met by the Agents of the Company (who went up by the Ottawa River) and there to receive instructions respecting their ulterior destination a considerable time previous to the departure of those Boats a mission was sent to Washington under the Sanction of your Excellency to ascertain through His Majesty's Ministers there whether it was the intention of the American Government to continue to act upon the permanent part of the Treaty of 1794 as to the Admission of British Subjects to participate in the *Indian Trade within their Territory* or to consider it an an end as upon such ascertainment the Agents of the Company at Saint Josephs were to regulate their further proceedings after the arrival of the said Boats at that British Post at the departure of those Boats from LaChine the answer from Washington was not received

The object of such ascertainment had no relation to the *navigation by the usual route round the Lakes* such being considered common right unquestionably secured by Treaty and foreign to that respecting Trade within American Territory Accordingly the Boats proceeded onwards in full faith and confidence that whatsoever might be the determination of the American Government respecting the said Indian Trade the common use of the waters along the internal communication dividing the two Countries would still be held sacred

Those Boats went forward as usual without interruption untill the 21st day of May last when the first division of them arrived at the entrance of Niagara River from Lake Ontario where there are *British* and *American Garrisons* nearly opposite to each other In the middle waters of that River or even nearer to the *former* than the *latter Garrison* the Boats were fired upon with Musket Ball by a party of Soldiers in a Boat dispatched from the American Fort when Two with their Cargoes were forcibly seized and carried back to the American Garrison and three got over the British side after the Crews had narrowly escaped death for so near were they to the British side when fired upon and so marked the Hostility of the procedure that some of the Balls fired reached the Land on that side

Those who committed this outrage having learnt that other Boats belonging to the same Company were following along Lake Ontario a Boat with Soldiers was dispatched from the American Fort to intercept them and succeeded in forcibly seizing six more in the open Lake making in all Eight Boats the whole of which with their Cargoes have been since unjustly detained in direct violation of the Treaty of 1794 and to the great inquiry and heavy loss of the same Michilimackinac Company

Not satisfied with this signal outrage upon the Stipulations of that Treaty an American Boat with Soldiers proceeded to a much greater distance along the Lake to seize also nine other Boats still further behind and actually pursued them above Thirty miles but in that superlatively aggravated intention they were happily foil'd as those Nine boats had received intimation of what had passed by one dispatched from the British side which occasioned their return to Kingston from whence they proceeded round by the North side of Lake Ontario after a great number of the Men had in consequence of this violent attack deserted who were replaced by others hired and sent up from Montreal at a heavy expense

Application in consequence of the Outrage and Seizure was under the Sanction of your Excellency made by His

Majesty's Ministers to the Government of the United States for reparation and an order therein was issued by the Secretary of the American Treasury to restore the Boats and property so seized but upon condition of giving Bond in double the value to abide by the decision of the American Courts and requiring other preliminaries which could not be agreed to by the Memorialists without acknowledging American Jurisdiction in a question foreign to it and thereby abandoning the strong ground whereon they stand as British Subjects pursuing their lawful business under common rights of free Navigation solemnly secured by the Treaty of 1794 (whereby the Post of Niagara from whence the said Outrage was committed was delivered up to the States) and especially the Third Article of that Treaty

Their property therefore remains detained in custody of the Customs House Officer of the United States at Niagara upon the pretext of awaiting a decision in their Courts to the Competency of which the Memorialists object and maintain that the question is alone determinable by the Government of the Two Countries as involving matter of serious National insult as well as infringement of private British rights founded upon National compact

In support of this view of the subject the Memorialists have to observe to your Excellency that by the 3d permanent Article of the Treaty of 1794 His Majesty's subjects and the Citizens of the United States have common and equal rights to the free navigation of the waters where the seizure was made which being the result of a joint stipulation no impediment to such free navigation can be legally interposed by any Legislative Act or proceeding of any Officer of *One* of the contracting parties to affect the rights of the subjects of the *other* party without the previous consent of their Sovereign Upon this principle the Michilimackinac Company contend that neither the American Embargo non Importation or any other act of the States can govern the present case or controul or regulate the rights of Navigation stipulated by the said Treaty

That the requirement of British Boats when coasting the Lakes from One British Post to another to report or make entry at American Custom Houses (when there is no intention of Trade) would amount to a controul regulation and impediment of the Lake Navigation to the destruction of its freedom and wholly foreign to the intention of the contracting parties as will be seen by reference to the Treaty which Specially Stipulates for allowing regulation to the exercise of River Navigation in small vessels between Montreal and Quebec and for the free passage of goods across Portages in order to prevent stands but authorizes no other regulation whatsoever Consequently if a Special provision was needful to authorize regulation in respect to such rights as were to be exercised within the Acknowledged exclusive Territory and jurisdiction of one party how much more necessary would special Stipulation have been to authorize either party by its separate act to regulate objects common to both such as particularly is the navigation of Waters dividing their respective Territories

The Memorialists have understood that the Custom House Officer who directed the seizure of the Boats pretends to justify himself upon the ground that the Boats could not have coasted the Lake without touching the Land although he neither had or could have a knowledge whether such was the fact but this is a mere subterfuge for the right of Lake Navigation common to both Nations necessarily implies its being exercised in a way practicable to the Vessel Navigating whether *Decked* or *Open* If the *former* she must sometime anchor when the wind is contrary and if the *latter* stop on the beach without any infringement in point of good faith when there is no purpose of trade or any object Stopping beyond the necessity of waiting for wind weather or daylight to resume the voyage

Such a quibble would render the object of the contracting parties a mere nullity and were a common highway the boundary between two adjoining Nations as well might it be agreed that the fair use of a resting place on either side occasionally to relieve a weary Traveller would be prohibited in the exercise of the right of free passage

The outrage complained of involves two distinct points of consideration One affecting the National dignity by the insult offered thereto in sight of a British Garrison and in waters of common right by the marked Hostility of firing upon His Majesty's Subjects when defenceless by Armed Soldiers of the United States The other an attack upon the rights and property of British Subjects whereby they have sustained great pecuniary loss and damage requiting indemnity

As to the first point the Memorialists consider that it would be presumptuous in them to suggest the quantum or kind of redress fit to be insisted upon Such remains with His Majesty's Ministers but they cannot avoid observing that it is not a little extraordinary that those who are so clamorous for general free Navigtion in cases authorized neither by the Law or practice of Nations should themselves so arrogantly violate the rights of free Lake Navigation when specially secured by a compact to which they are a party and that those who were so irritable in the case of the Chesapeak when a provocation not to be borne was previously given by them should so unfeelingly fire without any notice upon unarmed men who never afforded them even in shadow of pretence for so doing

As to the Second point Viz The heavy loss and damage sustained by the seizure of their property a Statement of which is annexed the Memorialists entreat that your Excellency will be pleased to lay the same before His Majesty s Minister that a full pecuniary indemnity to them for the injury in all its consequences may be demanded and obtained from the Government of the United States

Such cannot be less than £20 000 exclusive of the actual cost and charges of the goods and absolute disbursements in various ways made respecting the same making in the whole the sum of £26842 5 6 Sterling The said sum will be found moderate when it is considered that the value of the year s Outfit for the Trade exceeds £80 000 The plans for which were not only deranged by the Seizure of goods forming a necessary part of the assortment but the discouragement of the Partners Clerks and Men of the Concern who winter among the Indians has thereby been such as to create a despair of success and consequently will produce a diminution of exertion when they see so evident a proof of a plan to render it unavailing

The above however are not the only grievances respecting the United States of which the Memorialists have had to complain in common with other British Subjects within the American Territory for they have long suffered under the requirement of passes extortion in duties and vexations in various ways which the Treaty according to its fair intent and meaning does not authorise as what can be more evasive oppressive and preposterous than the American mode of exacting the duties on goods carried by British Subjects from Canada into the American Territory upon a *scale of calculation* that in its *principles* might in some cases subject them to the payment of nearly double duty and in no case on articles rated ad valorem does it amount to less than an eighth part more duty than is paid on the like articles by an American at an Atlantic Post

Surely such could never be the meaning of a Stipulation about duties made for the very purpose of assuming an equality in that respect to Indian Traders whether British or American wherever they might come into contact

The Memorialists have for some time seen progressing with extreme concern a systematic plan to drive the British Indian Traders from the American Territory by every species of vexation and they must soon succeed if His Majesty s Government does not take up their cause with decision for it was with feelings of a very unpleasant kind that they found the

Negociators with America appointed under the late Ministry postpone the discussion of their grievances (although fully represented) to an indefinite period without any Stipulation for the cessation of those fiscal extortions under which they were and are in the meantime suffering

The Memorialists therefore take the liberty of impressing upon your Excellency's attention for the information of His Majesty's Ministers the following consideration That the Indian Trade within the American limits must speedily be abandoned by British Subjects if not protected against interruptions of free Navigation of the Lakes Fiscal extortions and various vexations That if once abandoned it can never be regaind and with its abandonment will finish British influence with the Indian Nations residing without the limits of Canada That British Traders have materially aided in preserving that influence hitherto the conviction of which is the strong motive with the American Government for wishing by every means they can devise to exclude such Traders

If therefore the minds of His Majesty's Ministers shall be made up to the loss of that portion of Indian Trade carried on within the American Territory (which indeed is nearly the whole excepting the North West) and to the extinction of influence among the Indian Tribes as above said then in such case it will only be necessary to obtain reimbursement to British Traders of past fiscal extortions and indemnity for the losses and damages consequent upon the late seizure of the property of the Michilimackinac Company as also a consideration for the abandonment of their establishment in the Indian Country But if His Majesty's Government shall consider such Trade and influence as fit to be preserved that can only be done by obtaining reimbursement and indemnity forthwith in respect to the past and assurance of exemption for impositions and vexations in future And further the Memorialists are of opinion that if British Traders do not obtain the right of going to the West side of the Mississippi to trade as heretofore (the exclusion from which the Americans are now about rigidly enforcing upon pretext of that Country not being comprehended in the Treaty of 1794) they must in any event soon abandon the Trade to the east of the Mississippi as an object not worth pursuing

The Memorialists consider it proper to add that they are able to substantiate the various facts herein set forth They therefore most respectfully entreat Your Excellency to lay their complaints and observations before His Majesty's Ministers that such measures may be adopted as in this wisdom shall seem meet for obtaining the needful redress in the premises and they

were ever pray &c
Montreal 20th October 1808

Forsyth Richardson, & Co
M Tavish McGillivray & Co
James & And McGill & Co
Parker Gerrard Ogilvy & Co

Estimate of the Loading of Eight Batteaux or Boats the property of the Michilimackinac Company seized on the Waters of Lake Ontario and in the Entrance of Niagara River by John Lees Collector of the American Custom of the Port of Niagara on the 21st May 1808 with the various Expences and Damages incurred in consequence of said Seizure

Prime Cost and Charges at Montreal of the goods	5218 11 5
The Expence of these Boats including Men's wages provisions &c	828 6
Expences incurred by desertion of Men in consequence of the seizure Mens Wages to replace the Deserters provisions	570 13 7
Expences incurred by Messrs Michaels & Nichols on their mission to Washington & Mr Bleakleys to Niagara	225
Injury sustained by the Seizure in derangement of the Trade &c &c Our Business was at a Stand for a considerable time not knowing whether the rest of the Boats might not meet the same fate the progress of our Affairs was thereby arrested at St Joseph and the whole of our Goods to make out our Outfit eventually disassorted which were in consequence made very deficient and incomplete more particularly with respect to Guns Gunpowder and Blankets Articles indispensible in our Trade from this circumstance results many doubts in the minds of the people in general and particularly the Indians with respect to our rights within the American Jurisdition which threw a damp on our Credit in the Country and may lead to the most injurious consequences	20 000
Sterling	£26 842 5 4

Montreal 20th October 1808

Forsyth Richardson & Co
M Tavish McGillivray & Co
James & And McGill & Co
Parker Gerrard Ogilvy & Co

(Endorsed —

Memorial of Merchants at Montreal 1808)

It was accompanied by the following letter addressed to the governor general's private secretary

Montreal 15th December 1808

Dear Sir —

The propositions before Congress for non-intercourse will if carried into a Law so seriously affect the interests of the Michilimackinac company who have a very large property now within the American Territory in the Indian Country and the nature of *whose Trade* requires expensive preparations to be made during the winter for *that* of next season that it is of essential importance to them to ascertain with as little delay as possible whether the non intercourse is intended to do away the permanent part of the Treaty of 1794 or if there is to be a special exception in regard to the Indian Trade carried on by British Subjects from Canada as was the case in the existing non-importation and embargo Acts —

I am therefore directed by that Company to request you will have the goodness to communicate to His Excellency the Governor in Chief their intentions of sending to Washington a person with a Letter to His Majesty's Minister there for the purpose of soliciting his aid to ascertain the intended operation upon Indian Trade from Canada of the said propositions

They most respectfully entreat His Excellency that he will be pleased to recommend to Mr Erskine the obtaining the information in question as involving momentous consequences to the property and interests of many British Subjects

The person intended to be sent to Washington will remain for Mr Erskine's answer and will be one in whom every confidence may be reposed as to safe delivery of any despatch which His Excellency the Governor in Chief may see fit to send as also to bring safely back any dispatch which may be confided to him but will not possess sufficient understanding to be entrusted with personal communications being only a faithful servant who is acquainted with the route and mode of travelling in the States

He will pass through New York and could leave with His Majesty's Consul there any dispatches or letters intended for England by the Packet —

I have therefore very respectfully to request His Excellency that such dispatches as he may be pleased to send for that conveyance be transmitted to me as early as his convenience will allow of —

I am with respect and regard

Dear Sir

Your most Obedient and Humble
Servant

John Richardson on behalf
of the Michilim'c Co

Herman W Ryland Esquire
Endorsed
15th Dec 1808

From Mr Richardson

The writer of the following letter was for many years one of the principal merchants of Niagara and its first post master a justice of the peace and commissioner of highways

From Joseph Edwards to William Halton

Niagara 29 Decr 1808

Dear Sir —

It is rumoured here that Government are about to dispose of the Land at the sixteen Mile Creek in this District (containing the salt springs) upon certain terms

Being at present out of business and of a disposition for exploring I am vain enough to imagine that in the possession of them they would be of greater benefit to the public than they are at present

At the same time far be it that I should in the most remote degree Aim at the rights of others

A Line from you on the above subject will greatly oblige

(Sundries U C 1808)

James Crooks was another energetic merchant who was one of the first if not the very first of the persons who shipped flour to Lower Canada He had lately married Jane eldest daughter of Thomas Cummings of Chippawa who was engaged in the same business The right of developing water power above Niagara Falls had been the subject of many previous applications

From James Crooks to William Halton

Niagara 16th March 1809

Sir

When at York a short time ago I had the honor of submitting to the consideration of His Excellency the Lieut Governor the Petition which I now beg leave to inclose the prayer of which is to solicit a Grant of some small Islands in the River Niagara nearly Opposite to the Bridgewater Mills with the view to the erection of similar ones and other Machinery of which this flourishing part of the Province placed under His Excellency's care stands greatly in need of —

I owe an apology for obtruding again upon His Excellency's most precious time after the answer he was pleased to make that he could not Grant Islands but the importance of the Application as well to myself as to the Country impels me in the hope that His Excellency viewing it in relation to the latter may be pleased to point out the channel thro which application should be made And by giving his sanction, promote it

Should his Excellency be pleased to give to this application any of his attention you will by communicating confer a favor on

Sir

Your most Obedient &c

JAS CROOKS

(Sundries U C 1809)

John Warren who had entered the army as a drummer boy had been assistant commissary general at Fort Erie for about thirty years and when it was created a port of entry he was appointed collector of customs and inspector of flour and pot and pearl ashes He retained the former office until his death He was named as a magistrate in the first commission of the peace and commanded the third regiment of Lincoln militia for many years

FROM JOHN WARREN TO WILLIAM HALTON

Fort Erie 6th April 1809

Sir

His Excellency the late Lieutenant Governor was pleased to grant me the appointment of Inspector of Flour and Pot and Pearl Ashes for the District of Niagara my advanced Age renders me incompetent to the Duty I therefore beg leave to submit to His Excellency Lieutenant Governor Gore the propriety of my resigning said appointment humbly requesting his permission to do so It is not for me to presume to recommend any Person for the appointment, yet I humbly beg leave to say I do not know any Person more fit than Mr John Muirhead of Chippawa nor should I even have attempted to mention him was it not that His Excellency's goodness might induce him to think that I might wish it for one of my Sons, which I realy do not nor would the appointment suit them —

(Sundries U C 1809)

The imposition of fine upon indigent offenders some times was attended by awkward consequences and required the intervention of the magistrates to obtain a remission of the sentence

PETITION OF MAGISTRATES OF NIAGARA

To His Excellency Francis Gore Esquire Lieutenant Governor of the Province of Upper Canada &c &c &c

The Respectful representation of the undersigned being Justices of the Peace in and for the district of Niagara

Humbly Sheweth

That at the last General Quarter Sessions of the Peace held at Niagara in the month of April now last past certain men named John Shaw James Conway Elisha Bundy Cornelius Barns J V Lambert James Harris and William Ingram were indicted and convicted of an Assault and false imprisonment on the person of one Zach Harvey a Citizen of the United States

That the judgment of the Court was that each of them should pay a fine to the King of Ten Pounds Currency besides an Imprisonment of two months in the Common Gaol

That the term of their Imprisonment is nearly expired, but they are totally incompetent to pay the respective fines imposed upon them and that without Your Excellency's benign interposition they must suffer a perpetual imprisonment

The Justices aforesaid have further to represent to your Excellency that from Circumstances that have since come to their knowledge had these been known at the time the Fines would not have been imposed or at least greatly lessened —

Wherefore the undersigned Justices respectfully request your Excellency would remit the aforesaid Fines as Imposed on each —

SAML STREET J P
ROBERT KERR J P
ROBT ADDISON J P
THOMAS DICKSON J P
J BALL J P
THOMAS CLARK J P
J MUIRHEAD J P
JOHN BALL J P

Niagara 5th June 1809

(Sundries U C 1809)

Since the organization of the province a considerable number of Mennonists and Tunkers mainly Germans from Pennsylvania had come in and settled for whose encouragement an act had been passed in 1793 by the provincial parliament exempting them from service in the militia on certain conditions Their sons were now becoming liable to enrollment on attaining the age of sixteen

THE PETITION OF MENNONISTS AND TUNKERS

To the Honorable the Speaker and Members of the House of Commons of Upper Canada in Parliament assembled

The Petition of the Society of people called Mennonists and **Tunkers**,

Humbley Sheweth,

That by an Act of the Province passed in the thirty third year of His Majesty's reign Your Petitioners after producing a certificate from three or four respectable people one of whom must be a preacher in the Society to which they belong shall pay in time of peace Four Dollars a year and in time of invasion or insurrection Twenty Dollars a year for which favorable law and liberty of conscience we are thankful to God and the Government under which we live And whereas many of Our Sons now under age and incapable of judging in matters of conscience are not as yet actually considered as Church members and cannot of course secure the necessary certificates we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty one or until they be admitted as Church Members

And your Petitioners further pray that your Honorable Body will take into your consideration the many difficulties which poor people with large families have to labour under in new settlements and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners as in duty bound shall ever pray

This petition which was read in the Legislative Assembly on the 10th February 1810 was signed by two preachers two elders, and thirty five members of the Society of Mennonists and Tunkers who had become numerous in several townships of the Niagara district Another petition to the same effect read the same day bore thirty four signatures mostly in German script An act was accordingly passed during the session for the relief of minors of the Societies of Mennonists and Tunkers

The discontent existing among the Six Nations is shown in the following report from a veteran interpreter frequently known by the name of St John who had removed from the mouth of the Humber river to Ancaster where he had built a flour mill and in subsequent minutes of a council held with them

From J B Rousseau to William Claus

Ancaster March 1st 1809

Sir

I have taken the earliest opportunity to transmit to you (John Fraser) an exact Translation of a speech made in Council by the Six Nations of the Grand River held at the Onondaga Village relative to their land Affairs as well as respecting the White Settlers on the said River and within its vicinity — I met them in Council pursuant to your desire and also their request

They have proposed to send you their resolves made in Council in Writing (which is according to a report made to me by John Fraser) but should it not come to hand in due time you can depend upon the reality of the inclosed Why I say so is because I have understood that since I left them they have either Added or altered their Minds in some respect

During the time of the forrgoing part of the Council Harahogah and ten other others of the tribe (of Mohawks) including Doctor Aaron seemed to agree to the resolutions of their Brethren excepting when it came to the determination of Mr Jones s land which did not appear consonant to his & their opinion and in some consequence thereof they left the Council before the issue of the business was closed The different Nations met in Council were the following — Onondagas Senecas — Lower Kayugas — and the great part of the upper Kayugas excepting the little Chief Kachanion — Tuskarorias — Oquagas — excepting Joseph and the Oneidas — A Tuskarora Indian has lately arrived from the United States and used his influence among them exciting them to leave off the use of spirituous liquors his prevalence has had the desired effect for the present — how long they will remain in sobriety will be better known hereafter They have not appointed a number sufficient to transact their business which was according to request last fall but instead of following your desire have only nominated a few — which will more fully appear at their arrival at Fort George — with the translation of their Speech — for which purpose they are merely nominated to deliver the speech to you — its probable I shall be down about the time that the Indians deliver you their speech & if any difficulty should take place perhaps it may be in my power to explain it The two Hurons was detained at the Council place about one Day

I am Sir &c

J B Rousseau

Wm Claus Esqr
Dy Supt General
Indian Affairs &c

P S I attended Council for the space of five Days before their business came to a determination

(Claus Papers Vol 9 pp 259 260)

Proceedings of a Council with the Six Nations

At a meeting held at Fort George — Council House — Friday 10th March 1809 — with the Chiefs and Warriors of the 6 Nations at the Gd River

After the D S G returned their Message (4 Strings of Wampum) & saluted them Old Paterson a Mohawk got up & spoke as follows

Brother

I salute you in the Name of all the Nations from our place & desire you to listen to me you have many branches of business to attend but we have something now to communicate to you that comes from the bottom of our Hearts

When any business is to be done the Chiefs first assemble & consult & when the Chiefs find it of such a Nature that they can not settle it, it is referred to the Warriors & should they not agree the Women take it up those customs are well known to you.

Brother

When we first got acquainted with White people we had a person Peter to instruct us in our business after this Man your gd father Sir W Johnson came in his place he was our friend and when he gave us anything to drink he always told us to take it off from that Name he was very kind to us & never let us want he gave us every thing in good humour he got acquainted with our customs & manners & told us he thought he would put us in a better way of doing our business his advice to us was to listen always to our Father the English King but that if we attended to the french that we would fall we saw his words were strong & told him we will attend to them it is a strait road & we shall certainly follow it & that we would always have some young men on the watch & if any

danger appeared he should know it & he promised to do the same by us & cautioned us against the white people who were making Settlements on the River & held us strong by the hand that none might break us loose from the King & said our Arms should be hung with silver that it might not take rust now

Brother

I have explained to you the whole of the early proceeding between your forefather & us. it is our firm desire that we should walk in the same road all the Chiefs here present remember those transactions & we remember he gave us every assistance when we were disturbed on the River he used all his influence to keep us united & we hope his gd Son will do the same for us— we still remember that when he laid down his head that we would have some difficulty

Brother

the bad Birds still fly about to you & us We bury this & not listen to them

Old Clear Sky then addressed the Chiefs & Warriors & said after they consulted together on public business they according to their old custom communicated the result to the Kings fire & that our young Chief Blank will speak & we desire the Supt to listen

——spoke

Brother

You who have the charge of our affairs listen to us I speak as the Six Nations what I say now is their words and sentiments therefore listen attentively — we did not finish our business at the long House but have since here

Brother

The people our Brethren on the other side (Buffaloe Creek) have given up their claim to the Genl Council fire & it is kindled at the Gd River at the Onondaga village — the last business done here was much to your satisfaction you expressed yourself so it was so to us it united us in a great measure therefore it must have been gratifying to us but there still appears to us some difficulty which we will relate to you I am very sorry to inform you that notwithstanding all that the Chiefs have done that there is Something that affects us much & you also notwithstanding the Belt passed all round the Nations there is still something necessary —

Brethren (addressingt the Indns)

Listen to me when at the Head of the Lake last fall the business was defered untill we met at the Long house as there was something yet that was not right

Brother

You then strongly recommended to us to consult together at our Council fire & try our utmost to come together & let you know you requested us by Wampum to strengthen ourselves & be one & we came together & agreed upon our public concerns & wished to appoint 15 or 20 principal men to transact the business for the whole of the Nations on the Gd River for there purposes we have used our utmost endeavours but have been so unfortunate as not to succeed. I regret to say that you see two parties before you but do not look on us as the aggressors we are the Chiefs & great men one thing is the cause of our misfortune Land if that was removed we might perhaps come together I wish you to comprehend me it is not the large party that makes this difficulty — we have come to lay the business before you & request you to assist us we have laid the business before you & call on you for your help & we think you may be the means of doing every thing for us that we can wish & we have also made up our mind to keep our lands it never was the king's intention that we should part with them we do not want to throw them away what has been confirmed we have nothing more to say to & also some where there has been people settled for some time but there is others we wish to speak about those latter lands may be of some benefit to our rising generation

Brother

About 5 years ago we began to get some insight into our land business at the Council you held at the Grand River at that time we came to an agreement that you should have the charge of our money we wish to have some Security for the property sold the King pays you & we wish you to continue the charge of our money & we request that the Governor would have the goodness to get us an acct of our money that is lodged in the Funds & the Interest arising therefrom Annually

Brother

We have been very foolish & parted with our lands we have grown wiser the Land sold to Steadman it appears great difficultys have arisen if we can with justice we wish to have it returned to us

A tract of land on the Governor's road has been laid out as We are told for the payment of Surveys we know nothing about it & wish it to be withheld again there is another man at the head of the Chippewa (Canby) who has got land on the same road it will make us poor none of the Chiefs know any thing about either & lower down Mr Mallory has got a piece of land we know nothing about any of them A number of families who have settled on the road to Long Point (Mount pleasant) we receive no advantage whatever from them we wish that it may be leased for 20 years that we may get something for them & at the expiration to revert to us there is one man in particular And Nelles we wish your attention here also — The Lands for D Kou s child & Brant Johnson we wish to remain just as they were neither to strengthen not to weaken them there are some people on Fairchild s Creek who are settled there without our knowledge that Land on the road from the Head of the Lake given to Capt Brant we wish confirmed to Mrs Brant

Brother

I now go down the River there are some there in the same Situation without our knowledge by the Delaware Village there is a Tract of Land for a Surveyor of 4800 acres we do not know any thing about it we wish it to be thrown into our Lands again this is Mr Aron & the lower Kayugas doing by the advice of Mr Phelps It has been the wish of some to divide the Lands & the line to cross by Mount pleasant this we never would consent to for many reasons it would in the first place make a final division among us & again as we are living in the Heart of our Father s Country we ought to be as one in case of any trouble that we might give him all our assistance in his troubles with his Enemies

Brother

Here he repeated the speech delivered them by the Govr on his arrival in the Country

Brother

We now request you to make him acquainted with our wish & that we may have a Deed for our Lands that remain as the white people are constantly throwing it up to us that we have no Land

NOTE With a View that they should get a Deed that they may Rob you of your Land — Three Names were mentioned John Thomas Weu Nellis

Brother

We now come to the loss we have met with in our Mill being burnt we remember the Govr who died at Quebec sent a man to look for a good place to build a Mill for us when the old Mills were burnt Some years ago but he heard that Capt Brant was going to build a mill & he stoped we now in the Name of all the people on the Gr River ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask of him to change the school master that we have as he will not attend to the Children & we wish to have a man to speak English

11th March the Chiefs assembled at the D S G s Quarters & after examining the plan of the Grand River & pointing out Several places that were occupied by people that they conceived had no right to settle on them finished by the Onondaga Chief laying his hand on a Spot of Land at the Mouth of Grand River & saying

Brother

The person who has been working for our benefit in our Land affairs for these 5 years[1] we think we ought to give him something we therefore agree to let him have this Spot of Land at the Mouth of our River but we expect that he will always give us his advice & help us with our Lands and all other matters and where the Land is required he may be absent or Sick we expect that in that case he will find some body to do any thing that may be wanted by us

Fort George Council Room
March 13th 1809 Present

Col Procter Commanding
W Claus D S G
Major Short 41st Regt
W Saunders Lt & Adjt 41st Regt
Alex Eager
Thos. Barnard Ensign 41st Regt
David Price Benjn Fairchild
J B Rousseau Interpreters

Blind Paterson spoke

Brother

The Great Spirit has been pleased to let us meet this morning at Our Father's Council Fire to Speak in the presence of our Brothers the Officers of the Fort we return thanks to the Great Spirit & open your Ears that you may hear & and your Eyes that you may See

Brother

We met you here 3 days ago & talked over all our own old & early promises with our forefathers & yours & I will now repeat the Same in the presence of our Brethren the red Coats

Here Paterson repeated what past on the 10th The young

Onondaga Chief then spoke

Brother

Listen, we now have met to finish our business here we have told you before all that we have been about at our Council at the long house we have spoke about our Lands & now agree that the Surveyor (Jones) may have half of the Land at the Govr s Road (600 acres) but no more

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[1] William Dickson

We have many difficulties among our other white people that are settled on our Lands they steal our Hogs work our Horses & we can get no redress & when we speak to them they throw it in our faces that we have no land & the upper part of the River we are told is not ours but belongs to the Chippawas this is very hard & we hope you will assist us the Lawyer who helped us so long we wish to have confirmed to him the Land we give him at the Mouth of the River & for which we expect he will always give us his advice in Land business & help when those people rob us of our Cattle upon these terms we give him the Land & we expect that he will give us in writing that assurance and that the D S G & the Comdg Officer will sign it

Brother

We have something more to mention to you a Lawyer (Mr Borthwick) came to us some time ago & asked us for payment of a Note of hand this some of our Chiefs Lent their Names to for W K Smith & told us we had better pay him quietly that if we did not he would put us in Gaol this hurt us much now Brother we hope Mr Dickson will help us in these matters with your assistance —

Old Clear Sky

Chiefs & Warriors — It is customary among us when any person has any concern with us to give him a Name that we may know him the person whom we have given some Land to for doing Land business for him we call four Eyes — by which we shall after this know him

W Claus D S G

(Claus Papers Vol 9 pp 263 279)

At the fall assizes a strong recommendation to mercy was made by the petit jury for one of the early settlers of Stamford who had been convicted of some unnamed offence It was supported by a petition signed by a number of the leading magistrates and many other respectable residents

RECOMMENDATION OF THE PETIT JURY

The King
vs
Silverthorn

The Petit Jury in finding a Verdict in this case are governed

by the evidence before them but being all of them personally acquainted with the Prisoner, and some of them from his youth to this time beg leave to state to the Court that his demeanour thro life has been peaceable with this one exception — That he is an honest man and has by his industry and frugality acquired a handsome property — He has a large family who are deeply interested in his fate The Jurors therefore separating his general conduct from the substance of the evidence given against him in this case beg leave to recommend him to the mercy of the Court —

S Street Jr
Abraham Bowman
Arch Thompson
Chas Willson
John Thompson
Ebenezer Skinner
Thos Cooper
Adam Bowman
Aaron Crane
John Knox
John Burch
Adam Hutt

Niagara Septemr 29th
1809

(Endorsed in Pencil 'Pardon')

The Petition of Magistrates and Others

To His Excellency Francis Gore Esquire Lieutenant Governor of The Province of Upper Canada &c &c &c

The Petition of the undersigned Magistrates and Inhabitants of the District of Niagara

Humbly sheweth

That most of your Petitioners were present at the Trial and conviction of John Silverthorn of the Township of Stamford at the Court of Oyer and Terminer last holden for the said District of Niagara

That they were impressed with sentiments that such Trial and conviction was had upon the strongest Evidence under the most humane and tender Charge from the presiding Judge and that the convicted had the most fair and impartial Trial

That your Petitioners feel that the solemnity of his Trial and the exposition by the Court of the existing Laws must have impressed upon every hearer the aggravated Crime of which he stands convicted and cannot fail as effectually to restrain the Commission of a like Offence as if the sentence of the Law was carried into execution

That the unhappy Object of this Petition is one of the earliest Inhabitants of this Colony and his Character and conduct precedent to the act for which he has been convicted has been such as to approve him a firm adherent to His Majesty's Government and induce a ready obedience to the Laws of his country

Therefore we his Majesty's most dutiful and loyal Subjects humbly beg leave to recommend to your Excellency the unhappy convict as an Object of His Majesty's regal mercy and compassion

J Muirhead
Robert Kerr
John Symington
Jas. Crooks
S Hatt
Thos Cummings
Robt Nichol
John McEwen
William McKean
John J Lefferty
Isaac Swayze
William J Kerr
John Clark
James Secord
William Chisholm
A Cameron
Geo Hamilton
Thos. Clark
John McKerlie
Calvin Banister
William Robertson
James Racey
Thos McCormick
Wm Gilkison
James Cooper
John Reilly
Benjamin Corwin
Adam Spencer
Peter Wright
Jonathan Doan
Will Crooks
Amos Chapman
Jas Coffin
Jno Powell
T Butler
(Illegible)
J P Ball
John Ball
Ralfe Clench
(Illegible)
John Muirhead
Johnson Butler
Alex Stewart

A letter from George Hamilton to Charles Askin dated at Queenston on the 19th December 1808 announced the serious illness of his father which eventually proved fatal and his fears of an unwise third marriage then apparently not improbable

"I have but a Moments time to answer your kind letter of the 5th Instant which I only received yesterday — I can easily forgive you for not writing to me as it was as much my fault as yours I am sorry to say my Father has been confined to his bed for this Week past with a severe cold which settled in One of his knees & has given him such pain as to prevent him almost from sleeping or eating since — & Unfortunately to add to the evil the Doctors Mistook the complaint entirely were applying things that only made it worse however yesterday they found it out to be an Erisipelus or St Anthonys fire & have altered their plan the inflamation to day seems to have fallen into his ancle and I hope with a few more applications they will be able to drive it away entirely

I thought Lyons Marriage would surprise you and I agree with you that it was the best thing he could have done to add to his happiness he was a month ago blest with a fine thumping boy his very picture I have likewise to ask your congratulations on being advanced to the dignified station of an Uncle my Nephew is a fine little fellow & promises to be every bitt as crabbed as his father[1] — Your friends Mrs Conway & Smith have likewise been productive in the same way — Now for the Marriages James Crooks has been United to Miss Cummings[2] & William to One of the Miss Butlers[3] — Our friend Featherstone has also at last been favoured with the fair hand of that fickle Nymph Miss Duane — that foolish fellow Gallipeace to a Child of 13 years Old & who has already twice left him at her Mothers instigation in order to draw Money from him to get her back — She has a third time gone off to Buffaloe Creek & he poor infatuated Devill has slipped after her with bag & baggage — you will say this is all very pleasant News but here follows some not quite so agreeable — & Will surprise you very Much Could you or anybody else ever conceive so unlikely a thing to happen as a Marriage between my Father & the Widow Forsythe[4] of all the weomen in the World but which I am afraid Will be the case — I had observed & was pleased to see that my father was fonder of visiting his friends in Niagara than usual thinking that the exercise would be of great Service to him & never suspecting the least what was going on until it was whispered to me a fortnight ago that he was all this time busy in paying his addresses to the

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[1] This child was Robert Hamilton the third of that name (1808-1868) son of the second Robert Hamilton [2] James Crooks and Jane Cummings daughter of Thomas Cummings of Chippawa were married on December 8 [3] William Crooks and Mary Butler were married on December 1 [4] The widow of George Forsyth a merchant and magistrate at Niagara who died in September 1806

Widow — & I have since drawn out from Peter[1] that she One day when Peter was comeing up took & locked him up in her Room & desired him to tell his father that it was a fine day to take a Ride & that the next week would be a good time to settle their business he immediately after this Message sett off in the Chair his sore leg has intervened since that & she yester day came up in One of the Worst days you ever saw to see him & remains here still notwithstanding I have gott both the Doctors to speak to her & to tell her how very indelicate & improper it was for her to remain here at this time. All his friends you may believe feel very indignant at the Idea of such a Match & have I believe talked him pretty severely about it but I am afraid too late to do any good — He has never Mentioned the business to any of us but if he does I will tell him what all his friends think of it whatever may be the consequences to myself as I cannot bear the idea of his making himself unhappy for ever without warning him of the consequences — I mention all this to you my Dear fellow as I know it will be as safe with you as with Myself — you Will take care in writing to me to inclose the letter to Wm.[2] or Lyons[3] or anybody you may be writing to with directions to give to Myself — Your letter brought me the first news of your fathers accident & we were glad at the same time to hear of his recovery — My Father desires me to say that he cannot write at present but will by the first Oppy when he getts better — Pray have the goodness to answer this by the first Oppy that I may know it has come safe to hand — James has just come to take this down to the Post so I must conclude this long scrawl.

(Askin Papers Dominion Archives.)

A letter from William Robertson to Charles Askin written on the same day states that Robert Hamilton's condition was even then considered serious.

Queenston Decr 19th 1808.

Dear Charles

We are all happy to hear that your Father is so fast recovering the use of his arm — to a man of his years it was an unfortunate accident you ought not to allow him to go out in any carriage without one of you with him — his loss to the Family would be lamentable — I know well their affection to him

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[1] Peter Hunter Hamilton, seventh son of Hon. Robert Hamilton and half brother of George Hamilton. [2] William Robertson, a merchant at Queenston and a maternal half brother of George Hamilton. [3] Probably James Lyons, a clerk for Hon. Robert Hamilton.

He will be very sorry to know that our good Friend Mr Hamilton is at present rather in a dangerous way — being some days ago at Niagara he caught cold which settled in his knee — it is much swoln gives him acute pain and is attended with some Fever — I think the Doctors call it an Erispelis — I was with him last Evening, he gave me your Letter to read — enquired if you said anything of what you were doing — said he was afraid it was not much I have heard him before express his surprise at your not writing him on this Subject considering the Interest he took in your Wellfare you must certainly have been neglectfull if not worse

With respect to your Memorandum left with me the following Letter from Jno Warren jr will (in part) explain what has been done

Fort Erie Octr 13th 1808

Your favor of the 6th Inst is now before me — Capt Chapin has not as yet delivered the Salt I shall soon make a 2d demand for the payment of his Note Agreable to your wish I have disposed of the Vessell and rigging to the Fellow who built her (Daylay) for eight bbls of Salt — all the rigging I could save is but little all the small ropes & running rigging was taken as well as all the Iron that could be come at before I had any command of her — I think she is tolerably well disposed of — If the Fellow comes forward as agreed on

(Signed) J WARREN'

Mr Warren has just arrived — Chapin has gone down the Ohio and Daylay has not as yet performed his agreement

(Askin Papers Dominion Archives)

White pine on all Crown lands had been strictly reserved for the benefit of the Royal Navy and the Surveyor of Woods and Forests had been consequently instructed to report where such timber was to be found to prevent depredations

From Major Christopher Hamilton to
William Halton

Fort George 9th Novr (1809)

Sir/

I think it my duty to state to you for the information of His Excellency the Lt Governor that it has been reported to me that a Man of the name of Martin who is building a Vessel at the head of the Lake is cutting a quantity of White Pine

which I understand is reserved for the use of his Majesty
I have the Honor to be &c

C. HAMILTON
Major 100th Regt. Comg
Ft George

(Sundries Upper Canada 1809.)

The sheriff of the Niagara District who was also Surveyor of Woods and Forests was instructed to investigate and made the following report

Niagara 9th December 1809

Sir

I received your Letter of the 11th of November and in obedience to His Excellency's directions went to the Head of the Lake and made the necessary enquiry I examined and found some Oak timber in Possession of Mr Martin but of so little Consequence that I did not think it merited any attention there was no White Pine Cut on any reserve I informed him of the impropriety of Cutting timber on His Majesty's reserve without permission he said he was sorry for having cut the Oak timber but would Cut no more. —

I have the Honor to be &c

THOS MERRITT

Wm Halton Esquire
York

(Sundries Upper Canada 1809)

A proclamation was published as a result of this and other information on the 29th December 1809 announcing that any Person cutting Timber on our Crown Lands ungranted or on our Crown and Clergy Reserves is guilty of a misdemeanor, subject for a first offence to a fine of £20 or twelve months imprisonment for a second offence to a fine of £30 or imprisonment for eighteen months and for a third offence he shall be deemed guilty of a felony punishable by transportation for seven years All timber so cut was to be seized and sold for the benefit of the revenue

A tattered and scarcely decipherable letter from George Hamilton to Charles Askin among the Askin Papers gives a further account of his father's declining health and damage caused by an astonishing ice jam in the river

Queenston Jany 20th 1809

Dear Charley

I have this day received your short favour by the Mail

illegible Lyons swears the next time you play him such a slippery trick he will send you a role of Wrapping paper & let you pay the Postage & Squire William does not seem in much better humor. Every body here felt sorry for poor Laughton. that from his weakly appearance his friends did not expect to see him again. We were not surprised to hear of the failure of the Detroit Bank fortunately nobody here has any of his Excellency's paper except the inclosed Bank Note 75 Dols which my Father has desired me to to tell you to make the most of[1] — Do not write anything particular to myself at present or if you do put it on a piece of paper by itself for the Devill would have it in spite of your precaution William Robertson unfortunately saw your letter inclosed in Lyons & Mentioned it to me before my Father of Course I had to get it to tell him the news. When he asked me if there were any secrets in it I had to tell him there was which seemed to give him uneasiness for which I was very sorry as he is not well enough at present to be put out of humor, tho a great deal better since my last by a constant application of Poultices they brought the matter to a head by making an incission have succeded in draining a great deal of the (torn) humours out of it for this fortnight past but the knee is as much swelled as ever and gives him a great deal of pain when he attempts to put it to the ground. which I can only account for by the constant cold applications for a fortnight without any effect may have occasioned to detention of the humors above the knee & has given the leg a Numbness Which I am afraid it will not soon recover. however we must hope for the best. The Doctors are not so much to blame as it was my Fathers earnest wish to dispell it if possible without making an issue in the leg but they should not have indulged a sick man so long in his own way when they saw it attended with no good the Ladys business remains in Statu quo and except and except (sic) an occasional visit nothing I fancy will be decided on till he gets better. your River is nothing in comparison with ours about 2 Weeks ago we had some very violent Winds from the S West which broke up the ice in Lake Erie & drove it down in such quantities that for 3 days you could hardly see the water for the ice. when it was closed opposite our house it only took an hour to fill up solid to the black Rock with a Ridge in the Middle nearly upon a levell with the banks in 4 hours afterwards people were seen crossing over — the ice raised so very fast that we began immediately to take all the goods out of our lower stores & put them into our large one & 2 days ago it only wanted 3 feet of overflowing the bottom it has completely up sett McCormicks[1] & has raised our little one almost on one end had not Mr Clark[2] taken the precaution to fill his falf full of stones it would have gone like the rest as it is some thing racked & had the ice raised a little higher nothing could have saved it he has about £600 worth of Iron in the Lower Store which he could not get away in time both the stores on the other side of the River are swept away with about 400 bbls of Salt & some whisky & Pork for the American troops the wind is now again at S W with a Violent thaw & I hope it will take away the ice without any more damage Sutherland has returned from Scotland without bringing J Robertson[3] with him which he says was only owing to the Govt not allowing any person to leave the Country without 2 Weeks or a Month s application before hand poor fellow I hope that may be the only thing the matter with him but Sutherland like a blockhead left the letter in his trunk at Albany I have just learned that it has arrived on the other side — Our neighbor Phelps[4] Miss Hull & Robt Dickson[5] set off yesterday on a Jaunt to the States Phelps returns directly Miss Hull some time in April & R Dickson goes to N York & is not certain whether he shall come back here or go to Montreal We have a Weekly Club every week for the purpose of reading the Papers every One has a different paper & the person at whose house it is held takes care to send over the River & to Niagara for the Letters & papers after reading them we play at Cards till about 10 O Clock when we sitt down to a good supper & generally contrive to end the Evening very Jovially — Its Mr Dicksons to day & Jack Warren is waiting for thee — Dont you swear at me a little for making you pay the Postage for such long strings of Nonsense but you must only be revenged by sending me as long in return here we are all in very good health & Wishing you the same blessing I remain &c

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[1] Established in 1806. Augustus B. Woodward, chief justice of Michigan, was the president. General William Hull, governor of the territory, was a small stockholder. The names of Richard Pattinson and William Gilkinson of Sandwich also appear in the list of stockholders. Collections of the Pioneer Society of Michigan, Vol. VIII, p. 575.

(Askin Papers Dominion Archives)

The arrest of a band of forgers in March 1810 near Queenston caused considerable excitement and eventually much embarrassment to the magistrates This event was briefly described in a private letter from James Kerby then a clerk for

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[1] Thomas McCormick (1784-1867) a merchant at Queenston [2] Thomas Clark [3] His half brother John Robertson [4] Probably Elijah Phelps (1740-1843) an enterprising farmer in Stamford [5] A noted trader in the Northwest brother of Thomas Dickson of Queenston and William Dickson of Niagara and a kinsman of Hon Robert Hamilton

Thomas Clark, to Charles Askin of Sandwich.

"A few days since," he wrote, "we Queenston Volunteers cheerfully turned out to apprehend in our neighbourhood Seven d—n Stout Strapping Yankees (and would you believe that Mr. G. Drake is deeply in the plot) that have long been in the habit of Uttering forged bank Notes to a very great Amount* — knowing them to be such, they are all separately confined in Gaol. We cant at present say how it will terminate — but with more proofs they will come under the jurisdiction of *hanging* — a bad fate."[1]

The discovery of an attempt to liberate the prisoners greatly alarmed the sheriff, Thomas Merritt, who made an urgent appeal to Samuel Street, chairman of the Quarter Sessions, for assistance on April 18.

"I conceive it to be my duty to represent through you to the Magistrates in Quarter Sessions that the Gaol of the District is Crowded with prisoners, many of whom are charged with the Crime of Forgery & that an attempt has already been Made by a Person apparently connected with them to introduce Clandestinely a file for the purpose no doubt of enabling them to escape.

"It is well known to many of the Magistrates that the Gaol is very insecure. The Timber being in many parts decayed and as it is uncertain to what Extent the Confederacy of Forgers and Coiners may exist, it must be Obvious to the Bench that the Sheriff with his ordinary Means has not the Power to Effectually Guarding the prisoners — It is consequently become necessary to provide Additional Means for securing the County Gaol against all Attempts from without or within and at the same time by an immediate application to the proper Authority to procure a Commission for its immediate delivery.

"The Bench will do me the Justice to believe that every Exertion in my Power shall be used to prevent the escape of any of the Prisoners under My Charge but I must press on the Minds of the Magistrates that with my present Means & in the present Situation of the Gaol, I cannot be responsible for the safe keeping of the Prisoners."[2]

An emergency meeting of the magistrates was held at Niagara next day and by their advice Mr. Street addressed a

letter to the Lieutenant Governor

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* This offence had become so frequent that at the session of the provincial parliament ending on March 12th, 1810, an Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange and Foreign Notes and Orders for the Payment of Money" had been passed.

[1] Canadian Archives, Askin Papers, Vol. 16. [2] Ibid., Sundries, Upper Canada, 1809.

"The Magistrates of this District in Sessions taking into Consideration the very critical situation of the District Gaol as faithfully detailed in the accompanying representation from the Sheriff and the evil which would result to the Publick at large should the daring Gang of Depredators now Confined therein escape the Punishment due to their crimes have by their resolution Authorised me to apply to your Excellency for a special Commission of Oyer & Terminer for this District which I have now the honor to do

The Sheriff has so fully detailed this business that I have nothing to add thereto but to express my Conviction and that of my Brother Magistrates that unless a Commission does issue without delay the Prisoners will escape and the ends of Public Justice be thereby defeated "[2]

It was not found expedient to grant this request but a military guard was detailed from the garrison to protect the gaol until the regular assizes when five of the men accused were convicted and sentenced After having undergone a part of the punishment the prisoners petitioned for a remission of the remainder Mr Justice Powell before whom they had been convicted wrote on the subject from York on 21st March 1810 to William Halton secretary to the Lieutenant Governor

Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris were convicted at the last Niagara Assizes of a Conspiracy and sentenced to six Months Imprisonment from the 25th September last Pilory and a Fine of Twenty pounds each Imprisonment until paid & Security in £100 each & £50 two Sureties for their good Behaviour for two years — They have represented to the Governor that from their inability to pay the fine their Punishment will be perpetual Imprisonment which would never be the Intent of the Sentence — His Excellency in communicating their Petition to me as Judge of Assize expressed an Intimation to remit that part of the Sentence which continues the Imprsonment until the fine is paid altho in Complaisance to a foreign Government He declines remitting any part of the direct Punishments I therefore think His Excellency may desire to be informed that the direct Imprisonment ends on the 26th Instant "

When the court of Quarter Sessions met nearly a month later the convicts were still in the gaol and their case came up for consideration The magistrates wished to get rid of them and Joseph Edwards who had succeeded Street as chairman was instructed to recommend their liberation He wrote from

Niagara accordingly on April 17 to Mr Halton

"I am requested by the Magistrates in General Quarter Sessions to represent to His Excellency the Lieutenant Governor the situation of the four persons in the Gaol of this District under sentence for a misdemeanor in forging and uttering counterfeit foreign notes for the payment of money. They have undergone the Punishment of standing in the Pillory and the term pronounced for their imprisonment is (some time since) elapsed, paying their fines and finding security for their good behaviour are entirely out of their power and must operate as Imprisonment for life

As such they humbly intreat His Excellency to exercise the most amiable part of the King's perogative in granting them a free pardon for the remainder of the sentence. This their request they beg leave to assure His Excellency is not on account of the burthensome expence (large as they have found it) that these Prisoners are to the District but to prevent any attempt they might make to break Gaol that (in their desperate case) the natural love of Liberty might incite them to. Especially since the Commandant at Fort George has found it necessary to request that the Guard might be withdrawn, and which has taken place."

The method of accomplishing this remission of the sentence was referred to Justice Powell for his advice, which he gave in a letter to Mr Halton on May 1.

"When I did myself the Honor to submit to His Excellency's Consideration the Case of the Convicts at Niagara sentenced for a Conspiracy to defraud by forged foreign bank notes it was to obviate the possibility of their sentence operating a perpetual Imprisonment in case of Inability to pay the fine imposed upon them

The mode of Relief which I took the liberty to suggest was to remit so much of the Sentence as directed Imprisonment untill the fine should be paid, and security given for their good behaviour — This may be done by a Charter of pardon, not remitting the fine but all Imprisonment after the Six months of Punishment, which will merely discharge them from Prison without releasing the fine —

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 17 April 1810

Sir

I am also requested to represent to His Excellency what

the Magistrates conceive an improper application of the Military reserve in front of the Town in the permission recently given of a Mr Staats presented (among others) by a Mr Spilman of his house thereby not only spoiling the view but by encouraging similar applications have the effect of shutting up the Town by a Range of Pickets They therefore humbly request His Excellency s interference in preventing the enclosure taking place

At this Session the Magistrates have approved of a plan of a Bridge of one Arch across the Grand River nigh the house of a Mr Staats presented (among others) by a Mr Spilman the Estimate seven hundred and fifty pounds Messrs Hatts T Clarke Addison and others have come forward as his Securities and so Soon as the bonds are compleated I presume an application will be made to his Excellency for the money voted by Parliament the remaining sum being made up by private Subscriptions

I have the honor to be &c

Jos Edwards
Chairman
Genl Qr Sessions
Niagara District

Major William Halton
&c &c &c

(Sundries Upper Canada 1810)

The recommendation of the magistrates for a remission of the remainder of the sentence passed upon the counterfeiters is shown to have been successful by the following order

Lieutenant Governor's Office
2nd May 1810

Sir

The Lieutenant Governor directs that you prepare a pardon to pass the Great Seal remitting the Imprisonment of Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris convicted at the last Niagara Assizes of a Conspiracy

I have the honor to be &c

Wm Halton Sy

The Attorney General

On the 26th of February 1811 Isaac Swayze no longer a member of the Legislative Assembly having been defeated at the previous election by Samuel Street again presented a petition asking reimbursement for his loss by robbery

To the Honorable the Commons House of Assembly of the Province of Upper Canada

The Petition of Isaac Swayze of Niagara most humbly sheweth

That Your Petitioner did heretofore humbly shew to Your Honorable House that a burglary had been committed upon his house on the night of the 28th of January 1806 at which time he was robbed of the sum of One Hundred and Seventy eight Pounds Provincial currency then in his possession and received by him as Inspector of Licenses for the District of Niagara for duties on Shop Tavern and Still Licenses issued 5th January 1806 exclusive of private property and money received on account of the District of Niagara and that Your Petitioner was at the same time very dangerously wounded

Your Petitioner now begs leave to press upon your consideration the honorable testimony of such facts as were then adduced by him on which your resolution of the fifth day of March 1807 was founded and humbly prays that Your Honorable House would be pleased to afford him that relief which in your wisdom you shall think the circumstances of his unfortunate case may require

And Your Petitioner as in duty bound will ever pray

ISAAC SWAYZE

Crowell Willson of Crowland then moved seconded by Allan McLean of Kingston for leave to introduce a bill for the relief of Isaac Swayze but the motion was lost

The royal instructions to Lord Dorchester in 1791 had commanded him to direct the Surveyor General to report in all surveys made for settlement whether there were within such survey any lands fit for the production of hemp or flax Ten years later in compliance with a circular letter from the Colonial Secretary General Hunter had requested the provincial parliament to give such encouragement as seemed necessary to stimulate the cultivation of an object of the highest importance in Europe at that time An act was accordingly passed appropriating £250 for the purpose of purchasing and distributing hemp seed gratis among the farmers and £500 to be expended in premiums and bounties for the cultivation of hemp The Lieutenant Governor was asked to appoint a Board to encourage the culture dressing and exportation of hemp Hon John McGill and Hon D W Smith were the first commissioners appointed and in 1803 Hon Thomas Scott the Attorney General was added to the number In 1804 one thousand pounds were voted for the same purpose and James Baby, Richard Cartwright, Robert Hamilton and William Allan were appointed commissioners for the purchase of merchantable hemp at the rate of £40 Halifax currency per ton. Thomas Talbot was added in 1809 and on the death of Robert Hamilton, Joseph Edwards was appointed his successor. Premiums were awarded by the London Society for the encouragement of Arts, Manufactures, and Commerce, and a further grant was made by the provincial parliament in 1808.

From Joseph Edwards to William Halton

Niagara 9 August 1810

Sir

As Commissioner for the purchase of Hemp I have lately been applied to by a Mr Staats of the Grand River to take from him a Ton Mr Richard Hatt having also informed me that he will shortly have some to deliver for Sale and having no public money for that purpose I am induced to apply through you to His Excellency the Lieutenant Governor for the price of two or three Tons and to request that the Warrant may be made to William Dickson Esquire who I have duly appointed as my Agent for that purpose

I have the honor to be &c

Joseph Edwards
Commissioner for the
purchasing of Hemp

William Halton Esq
York

(Sundries Upper Canada 1810.)

William Claus's eldest son had obtained a commission in the regular army and had been ordered to join his regiment then stationed in Jamaica. This led to some interesting correspondence with Lieut Colonel William Samuel Currey, who had been military secretary to General Hunter and had been granted the maximum allowance of twelve hundred acres of land as a reward for his services which he wished to sell.

From James Green to William Claus

Quebec 5 July 1810

My Dear Claus —

In consequence of your letter of the 11th June delivered by Mr Crooks I immediately conveyed the 400 Acres in

Grimsby belonging to Lt Colo Curry for which Mr Crooks paid me £150 — which Sum I remit by the Owen Glendower the 10th Instant to Doctor Curry agreeably to Lt Colo Curry's Instructions — the Conveyance could not be perfected when Mr Crooks was obliged to take his departure by the Steam boat but I afterwards delivered it to Capt Evans conformably to Mr Crooks's Instructions —

Lieut Governor & Mrs Gore have received every possible attention from Sir James Craig Since their arrival we have had nothing but feasting — dancing and the like — they came very opportunely to attend the Races to day — General Brock gave a dinner to the two Governors to day and a Ball to as many Ladies as his room could conveniently contain — they danced in two rooms to the Band of the 8th Regt — which unquestionably is the best Military Band I ever saw both in point of Numbers & fine execution on their Instruments —

Capt Selby of the Owen Glendower gave a Superb dejeunet on board his Ship the day before which was conducted in a Superior Stile — Lt Govr & Mrs Gore were received with 13 Guns — Capt Selby is a most excellent Character — devoid of that Pomp you often meet with in Naval Characters—

To day the races begin — dinner at the Bishops — Play in the Evening — To morrow races — dinner at the Chateau to a Number of Ladies and Gentlemen — and Race Ball at the Hotel in the Evening — Races again on Fryday and Saturday — on Sunday I presume the Governor will return in order to transact some indispensable business in his Province

Governor Gore has been very attentive to me he favors me with a long visit every morning at the Office — he called on us an hour after his arrival with Colo Kempt

Adieu my dear Sir Accept best wishes for yourself Mrs Claus & your family from me and mine & believe me to be
Ever yours

JAMES GREEN

(Claus Papers Vol 10 pp 9-10)

FROM WILLIAM CLAUS TO LIEUT COLONEL W S CURRY

Niagara 16th Sept 1810

My Dr Curry

Your letter of the 26 Octr 1809 I had the pleasure to receive telling me of the safe arrival of my son William at

Jamaica I have seen by the *Gazette* of the 18th Novr 1809 that there was a mistake in Wm's appointment to the 54th Regt which I assure you Mrs Claus & myself most sincerely regret yet I flatter myself with the hope that your friendship will be the means of bringing the business to a happy end Should he be removed from under your friendly care that ease of mind which has prevailed in both Mrs Claus & myself since with you will vanish & be left in a constant state of anxiety Our only consolation if he is to be secured to an Ensigncy you will have it done

The French influence has reached the Lower Province Sir James Craig has five or six Canadian Lawyers Notaries & Members of The Assembly in Gaol (Bedard Blanchett & Tachereau of Quebec) being detected in a Treasonable correspondence with the French Embassador at Washington — he dissolved the House again last Winter he acts with decision & does not triffle with them as did Lord D & Sir R Milnes

Your lands I have left nothing untried to dispose of — only 300 Acres I have got off & to receive 7/6 pr Acre in Cash on giving the deed but it will be some time before that can be done as Green will have to execute the Deed & to him I shall remitt the Money as soon as pd

Since your favor of the 26th Octr we have not heard from Jamaica We are at a loss for Wm's silence I should have been glad to have heard from him any particulars of his Voyage &c you will readily conceive untill we can hear from you better than I can describe — my boy Dan has been appointed to the 49th Regt now in this Country & still under the Command of our friend Genl Brock his Lt Col (Sheaffe) is at last married to Miss Coffin by next thursdays post Mrs. Claus I believe intends writing to Wm —

God Bless you joined by Mrs Claus & all the family in wishes for your health & happiness — I remain your most faithfully

All hands send their Love to Wm

(Unsigned draft)

(Claus Papers Vol 10, pp 1 3)

FROM WILLIAM CLAUS TO LIEUT COLONEL CURRY

Niagara 17th Novr 1810

My Dr Curry

Just as I was stepping into my boat with three Characters well known to you Genl Brock Col Vincent and Capt Glegg of the 49th Regt on my way to York by the Head of the Lake I had the pleasure to receive yours of the 13 June With 3 such men I think I hear you say he must have had a pleasant time Genl Brock remains with us in the Command of the Upper Province the other Gentlemen returned about 3 Weeks ago to the Lower Province — they came up with a number of other officers to sit a Genl Court Martial upon some men of the 100th Regt for desertion & Mutiny Very little was done after all their Troubles — one man flogged & one transported to Botany Bay

Green will have told you that he has received one Dollar & a half pr Acre for 400 of your Acres I assure you I sold them with reluctance, but it is your desire that they are sold

We are going on neatly as usual Genl Brock being with us makes some difference he lives in the Govt House and often sees 10 or a dozen friends but unfortunately he is quite alone not an officer with him Harriot[1] who was his Major of Brigade is at Quebec with Genl De Rottenburg he ought to have kept Col Vincent or Glegg it would have been a happy thing for the latter as on his way down near Kingston in shooting a deer in the Water he unfortunately shot a man in the Bow of the boat a soldier of the Veterans

(Unsigned draft)

(Claus Papers Vol 10 pp 11 13)

Samuel Street and Thomas Clark who had obtained control of the Bridgewater Mills and desiring to extend their business published a printed notice in the form of a handbill a copy of which has been preserved among the Askin Papers in the Dominion Archives

CLARK & STREET's terms for exchanging Wheat stored at the Bridgewater and Falls Mills are

For three Bushels merchantable Wheat of 60 lbs. each
112 lb fine Flour
49 lb Bran
4 lb ship stuff

For 5 and a half Bushels ditto
196 lb Superfine
70 lb Bran
8 lb Ship Stuff

3 shillings and 6d York for each Barrel furnished 6d per Barrell for packing and 6d more if nail d and lined — Quality

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[1] Heriot

of Flour (if doubted) to be ascertained before taken away from the Mills

Should the Mills or Wheat Stores be destroyed by fire the subscribers are not to be accountable for any loss occasioned thereby

CLARK & STREET

Bridgewater November 7th 1810

Hugh Alexander who had come to Upper Canada as a Loyalist in 1782 after employment of many years as a clerk had commenced business as a merchant at Fort Erie Copies of many of his letters have been preserved and throw considerable light on local commerce of the time

FROM HUGH ALEXANDER TO THOMAS MCCORMICK

Dear Sir

Agreeable to promise I have herewith given you a statement for which I will forward your goods at from Chip next season to this place and from this to Chip which I trust will meet your Approbation viz Salt 2/4 per bbl payable in salt at 30/ at Queenston free of duty or 2/ cash — the salt to be shipped as advised

Goods 1/3 per cwt to receive here and ship as above
Pork to receive here and forward to Chipewa 1/3
Flour to ditto and forward to Chip 1/
Pork & Whisky to receive here and forward to Chip 1/4
Potash do do do do 3/
or 2/6 if not Hard

The cash accounts payable at the close of the season — and the salt monthly if required

Fort Erie
Nov 6 1810

N.B You will please observe the above prices are New York currency

FROM HUGH ALEXANDER TO THOMAS DICKSON

Dear Sir

Your kind favor of the 1st ult came to hand the 10th I should have answered your letter immediately but could not say to a certainty how many barrels I should have and also expected to be down before this time but the roads is at present very disagreeable you can depend on twenty barrels of pork which can be delivered in a very short time — I merely say this as you may wish to know the quantity on acct of your own contract I intend being down either the last of this week or the first of next as Mr Bilder is waiting for this

Fort Erie
Jan 7/11

From Hugh Alexander to Capt B Martin

Fort Erie Feb 14th/11

Dear Sir

Yours of 21st ult came duly to hand on the 7th inst and hasten to inform you that in my opinion by all means start out for Buffalo as what property may be on board for this place can be brought from that without any interruption and should there be any probability? of making one or two trips from Black Rock to either Cayahoga or Erie the vessel will have it then in her power to perform the same — if not it is very easy to run over from Buffalo to this place I have not seen your father as yet however I dont hesitate in giving my opinion as above as it will undoubtedly be best for both shipping and owner because should she clear for this port and part of the property be for Buffalo the owner would then be deprived of getting it over The season as yet has not been very severe I am therefore inclined to hope that the ice will be out very early in the spring and I think there will be no time lost in coming down as soon as the lake weather &c will permit and unless you can get some rigging and repair done in trade — the vessel I think had better be brot down to repair either here or at Black Rock where the material can be got without paying cash immediately Dont by any means pay Cook any of his wages if there is any due him as he was in arrears with me when he went away I shall see your Father in a few days and will then inform him of what I have said to you and should we jointly agree to make any different arrangements I will then notify you accordingly

Capt B Martin

Detroit

Should you have an opportunity of getting some old rope or junk get it to make oakum as I should want some for my own and another vessel will also want some You will likely get the above for trade and cheap Also get a small radge and compass cheap and have the means to make payment without paying money

FROM HUGH ALEXANDER TO CAPT BUD MARTIN

F Erie Mar 12/11

D S

I wrote you the 14th in ans to yours of 21st Jany but fearful that it may be miscarried I shall now write you per Capt Rough to say that I wish you by all means to clear out for Buff as part of the property you have on board is I presume for that place which if you come to this side will not be allowed to be taken over but whatever may be on board for this place can be bro t over from there here without difficulty The weather at present is very fine and should it continue much longer I think the ice will be out by the 1 of April perhaps sooner In my last I mentioned that you had better gett a compass & small anchor perhaps 1 cwt and as there is several old vessels in that quarter perhaps you can get in trade or payable in salt next fall sails that would answer for a square sail and topsail and also get what old rope you can conveniently to make oakum as I shall want considerable this spring As your brother Anderson I presume will be with you if you and him can see a bargain in any of the above mentioned articles you had better take them and also should you see such spars as the Chip may want you may as well get them Should whisky be cheap in Detroit say 4/ 4/6 or even 5/ a gall if you have the means bring what you can with you In hopes that every caution will be used in getting down safe as soon as the Lake and weather will permit

Capt Bud Martin
Detroit

FROM HUGH ALEXANDER TO THOMAS DICKSON

Fort E Mar 16/11

D St

Your very kind favor of 21st ult I received the same day on my way to Long Point and am very sorry to find that Mr McGill did not accept your offer However should you have an opportunity before I see you of selling 20 or 22 bbls pork provided you can get a fair price you are at liberty to draw on me for that quantity and pass the same to my credit If you can conveniently spare a barrel of spirit please let the bearer Mr Smith have it who will have an opportunity of sending it up immediately

Thos Dickson
Queenston

FROM HUGH ALEXANDER TO CAPT. BUD MARTIN

Fort Erie Ap. 9/1811

D S

I am most disappointed on acct your not having yet arrived as I have expected you here some time past as the weather is extremely fine However I have heard verbally that the Chip is detained on acct of the non-importation act In that case Major Fowell will do everything that can be done in behalf of the vessel and you will in that case be directed by him what measures to take and should you come under ballast from that port to this call at Long Point on Dr Crosby[1] for 1 corn on your way down and be as expeditious as possible as I have made contracts in this quarter which must be fulfilled

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FROM HUGH ALEXANDER TO ELIJAH PHELPS

Fort Erie Ap 15/1811

D S

I understand there is a quantity of salt laying at Chippewa marked T Bros & Co which is under your direction As I shall have boats taking down flour should you want to send it to this place and not under any engagements I should be happy to have the boating of it and would attend to whatever directions you should give respecting the shipping of the same at this place

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FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap 24/1811

D S

I called at Manchester last evening to see you respecting the cordage yet wanted for the Chippewa but you was from home neither could I find Mr Coffin However I sent a memorandum for Mr Ben Hopkins which if you would have the goodness to furnish and leave to Black Rock to Mr Sell[2] with the amt which if you could conveniently make payable the 1st Oct would suit me much better than the time mentioned in your letter but should that be longer than you can wait you will make the time as favorable as possible you will then send cordage by first boat

Judge Porter
Manchester

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[1] Probably Dr Elakim Crosby who joined the enemy in 1813 see Papers and Records of the Ontario Historical Society XXVI p 494

Pay no attention to the former memoranda to Mr Smith as my information respecting that was incorrect

From Hugh Alexander to Thomas Clark & Co

Fort Erie Ap 29/1811
Messrs Thos Clark & Co

Gentlemen

Yours of 19th I rec d 23 The Clip is just discharged of 319 barrels marked P Ct O from Mr Nichol which will be forwarded to Chippewa as soon as possible I shall send the vessel once more to Long Point and the next trip to the Grand River for Mr Hatt s flour which I presume from your letter is ready If wind and weather will permit you may expect Mr Hatt s flour the last of next week or the first of the week after The Salina has also a load of flour from Long Point which will also be forwarded soon I have sent from this place 104 bbls flour marked H A for myself which you will have the goodness to forward to Messrs Parker Gerrard Ogilvie & Co Montreal the first opportunity

From Hugh Alexander to Judge Porter

Fort Erie Ap 30/1811

Sir

Yours of 25th received 28th enclosing the bill of rigging which came to hand in good order I am extremely sorry that you was put to the trouble of making that part of the rigging that is not at present wanted if I recollect right I mentioned to your man that the memorandum left with Mr Coffin by Mr Smith was incorrect but that I should leave one with him that evening

However I find I am still deficient much which I shall trouble you again to furnish & forward to Black Rock as formerly

Say 1 cwt spun yarn
2 bunches of marlin
30 fathoms 3 rope
2 lbs serving twine

To Judge Porter
Manchester

From Hugh Alexander to William Southerland

Fort Erie May 11/1811

Sir

Messrs Thomas Clark & Co has wrote to me to say that

Sam! Hatt Esqr has a quantity of flour at your place which he wants forwarded to Queenston, I have therefore agreed with Mr Thomas Hickok? the bearer of this to bring the team to this place you will therefore deliver to him as much as he can conveniently take and Oblige

FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie May 13/1811

Sir

I am concerned in a small vessel (the Chippewa thirty six tons burthen British Bottom) which I would wish to engage in the salt business from this to your port if the laws now in force will allow the same May I therefore beg the favor of you to state to me as soon as convenient your opinion on that subject whether you think it advisable to send him to your port or not and you will very much oblige

FROM JONATHAN WALTON TO FRANCIS GORE

Schenectady 15 May 1811

Sir

As it may be agreeable for your Excellency to know that agents for many Respectfull families have called on me lately for the purpose of making arrangements to Remove into your province the ensuing Summer I think it my duty to give the information I shall continue my endeavours to facilitate as many good people into the province as I possibly can — having the wellfare of your Excellency's govermt at heart

I most sincerely congratulate your Excellency on the Glorious news of the success of the British arms in Portugal in driving the bauty foe out of that kingdom — with my sincere prayers that England may finally Tryumph over the Tyrant of Europe

I am &c

J WALTON

His Excellency Gov Gore

(Sundries Upper Canada 1811)

The writer of the foregoing letter was an officer in a loyalist regiment who had been retired upon half-pay and had settled in Nova Scotia and afterwards undertook the settlement of the township of Hope in Upper Canada Eventually, as he stated with General Simcoe's approval he established himself as a merchant in Schenectady and seems to have exerted himself zealously in promoting immigration to Upper Canada asserting that his situation there enabled him to promote the Settlement of that Country more than he could possibly do by *residing in Canada* [1]

Richard Hatt of Ancaster Samuel Street of Stamford and Josseph Edwards of Niagara had been appointed commissioners to supervise the expenditure of money granted by the provincial parliament for the improvement of the main roads in the Niagara District

FROM RICHARD HATT TO WILLIAM HALTON

Ancaster 21 May 1811

Sir

I received your Letter of the 17th Ulto acquainting me of the appointment which it has pleased His Excellency to honor me with and in order to carry the same into effect as soon as possible (being unable at this time to leave my family) I have taken the liberty to empower my Brother to receive such part of the money appropriated by the said Act as may more particularly fall under my immediate inspection to lay out that is from Vanderlip to A Westbrook s from Brady s Tavern thro Saltfleet to the Forty Mile Creek on the New Lake road and building a Bridge over the Outlet at Burlington Bay which is the arrangement lately made with the other Commissioners

I have the honor to be &c

Major W Halton RICHARD HATT

(Sundries Upper Canada 1811)

FROM HUGH ALEXANDER TO PARKER GERRARD OGILVIE & CO

Fort Erie May 23/1811

Gentlemen

Having some flour to send to Montreal this season and from an acquaintance I have had of you through Mr Nichol & others in this quarter I have taken the liberty of addressing it to you which if you will have the goodness to take charge of and if you have an opportunity of selling any part of it for nine dollars or upward please to sell it — if less I should rather have it housed till I go to Montreal myself which will be in July or first of August I shall also request the favor of you to write to me the correct prices of flour pork & potash as often as convenient ad oblige

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[1] Papers and Records of Ontario Historical Society XXVI p 361

From Hugh Alexander to Thomas Clark & Co

Fort Erie May 30 1811

Messrs Thos Clark & Co

Sirs,

Yours of 16 instant received on the 22nd and have now the Biscuit ready say 3200 lbs the quantity of flour taken for the season is 18 barrels which you mentioned soon to be replaced at Queenston You will also pass £19.6.0 N Y Cur- to my credit

The price for baking say 12/ per cwt you can either make the flour and forward it to Montreal with the rest or pass it to my credit as may be most convenient

From Hugh Alexander to Clark and Street

Fort Erie June 4 1811

Messrs Clark and Street[2]

Dear Sir

Yours of 28th received the 3rd inst and will cheerfully account to you for the neat balance that may be due Robt & Sent Martin for their respective shares in the Chippewa when and in such articles as may be collected for freight in said vessel at present I have nothing in my hands

From Hugh Alexander to Parker Gerrard Ogilvie & Co

Fort Erie June 10 1811

Messrs Parker Gerrard Ogilvie & Co

Gentlemen

I wrote you on the 23rd respecting some flour forwarded to your care which I requested not to be sold under nine dollars However Mr Storrs[3] is going sooner to Montreal than I expected I have taken the liberty of drawing on you in favor of Messrs Jabez Storr & Co for twenty five pounds currency which you will please to honour

If you have not sold sufficient of the flour at the above rate you can sell to the best advantage enough to discharge the above draft and the remainder if you think there is any possibility of its rising dont sell till you have further advice Please write me the quantity received in good order and what prospects are respecting the price and you will very much oblige

The annual return of the militia of the county of Lincoln dated 4th June 1811 showed that the 1st Lincoln commanded by Colonel Ralfe Clench consisted of one Colonel one Lieutenant Colonel one Major ten Captains ten Lieutenants ten Ensigns one Adjutant one Quartermaster thirty two Sergeants and 513 rank and file being a decrease of sixty rank and file since the last return The 2nd Lincoln commanded by Lieutenant Colonel Thomas Clark was composed of one Lieutenant Colonel one Major nine Captains, Ten Lieutenants ten Ensigns one Adjutant one Quartermaster twenty three Sergeants and 572 rank and file showing an increase of eighty-six in the last description The return for the 3rd Lincoln commanded by Lieutenant Colonel John Warren was dated 1810, and showed a total strength of one Lieutenant Colonel one Major eight Captains, six Lieutenants seven Ensigns one Adjutant one Quartermaster sixteen Sergeants and 350 rank and file The 4th Lincoln commanded by Lieutenant Colonel Johnson Butler numbered one Lieutenant Colonel one Major ten Captains eight Lieutenants nine Ensigns one Adjutant one Quartermaster twenty seven Sergeants and 459 rank and file being an increase of fifty-two The 5th Lincoln commanded by Lieutenant Colonel Andrew Bradt reported a strength of one Lieutenant Colonel one Major seven Captains ten Lieutenants eight Ensigns one Adjutant nineteen Sergeants and 404 rank and file being an increase of fifty seven

Three official letters from commanding officers have been preserved

FROM RALFE CLENCH TO THE HONORABLE AENEAS SHAW

Niagara June 8th 1811

Honble Sir

I enclose two Returns of the First Regiment of the County of Lincoln Militia No 1 Contains those from Sixteen to Sixty years of Age and No 2 those from Sixteen to Fifty only from this you'll see the small Number we have above Fifty

You'll also perceive by my Remarks the very few Absentees with the Character of most of them in Captain Crook's Company we have some respectable Americans a Mr Beldon a Worthy Man who has always declined bearing Arms but upon all regular occasions transmits the Amount of his Fine as by Law imposed but of this description there are but few We have some others in the Regiment who are inclined and would if in their Power not only stop the Militia law being carried into effect but the Wheels of Government also of this Democratic Class fortunately we have not many

A Lieutenant Robert Runchey a worthless troublesome Malcontent it is rumord that he intends Personally to wait on his Excellency the Lieutenant Governor and to request his acceptance of his resignation This I sincerely hope he may do and that his Excellency may be pleased to accept of the same as he is almost the only one I can term a Black Sheep in our Regiment and with whom the Officers I believe would gladly part

The Number of Private Men at present exceeds what by Law is allowed to each Company and yet we have not a sufficient Number to form another Regiment I would therefore beg leave to suggest the propriety of Forming Three or Four Independant Companies in the Township of Louth in which there are I dare say Men Sufficent This Township is now within the limit of the First Regiment which would still be sufficiently numerous I am induced to make this suggestion from a difficulty that has occurred with some of our Justices where Companies have exceeded Fifty Private Men I could not obtain Judgment upon Summons for no other reason as was stated than that the Company in Number exceeds what the Law directed by which Defaulters have gone unpunished From the Strength of our Regiment you will see that there is no other remedy unless dividing the Regiment from the situation and Settlement of the Townships of Niagara and Grantham this would not be in my opinion so eligible as to Form Independant Companies in the Township of Louth

Should this suggestion meet his Excellency s approbation permit me to request your earliest intimation I shall then transmit a list of Persons proper to be Appointed officers

I have the Honor to be &c

RALFE CLENCH
Colonel 1st Regt Lincoln
Militia

Honorable Aeneas Shaw
Adjt General Militia
York

(Sundries Upper Canada 1811)

FROM ANDREW BRADT TO THE ADJUTANT GENERAL OF MILITIA

Barton 8 June 1811

Sir

I now enclose the General return of the 5th Regiment of Lincoln Militia at the same time I have to transmite you the resignation of several of the Officers of my Regiment & shall submit to you to lay before His Excellency the Lieutenant Governor the frivolous excuses made in order to get rid of the Service thinking by resigning they get clear'd from all future Service —

CAPTAIN AUGUSTUS JONES resigns without any other excuse than that he does not like to get the illwill of his Neighbours by making them do their duties in the Militia

CAPTN JOHN LOTTRIDGE (the Son of Captn Robert Lottridge of the Indian department during the late war) resigns because he says he is so dull he cannot learn the Manual Exercise therefore cannot teach his Men

CAPTN JOHN CHAMBERS resigns because hes a very large family is rather a sickly man & is in very poor circumstances

LIEUT JOHN JONES is removed from the neighbourhood of my Regiment & is promoted to a Captn's Commission in another

ISRAEL DAWDY refuses to serve as an Ensign as he had originally a Lieutenant's Commission & had for a considerable time the charge of a Company & discharged the duty with great Credit to himself in that situation

ENSIGN A B BRADT has removed from the neighbourhood of my Regiment too far to attend his duty in it

If therefore His Excellency should approve the resignations & if so many persons should be exempt from Militia duty from it I shall beg leave to recommend that Lieut John Aikman — Lieut Israel Dawdy & Lieut Lewis Horning may succeed to the Companies vacated by the resignations & that Abel Land Senr William Weir & John Bradt be promoted to Lieuts also that Jacob Riemill Joseph House Joseph Burney George Rousseaux Samuel Green and Jacob Killman be recommended as Ensigns in my Regiment

I cannot conclude without observing that those whose friends & themselves have received the greatest encouragement & inducement to persevere in the good cause do not hold out the longest vide Augt Jones — & J Lottridge & at the same time I cannot but remark to you that Mr Abraham Markle & William Biggar both of Ancaster utterly refuse to train in the Militia & declare never will do more than pay their fines — that should we be called on actual Service we might not find support in many who have had great advantages from professions of Loyalty & suffering

I have the honor to be &c

ANDW BRADT
Lieut Col

To the Adjutant General of
the Militia of Upper Canada

(Sundries Upper Canada 1811)

FROM THOMAS CLARK TO AENEAS SHAW

Queenston June 10th 1811

Sir

Herein I have the honor to inclose you a return of the 2nd Regiment of Lincoln Militia for the 4th inst which be pleased to transmit to his Excellency the Lieutenant Governor as the Law directs —

By this return you will perceive that there is a Captain wanting to one of the Companies — owing to Captain Warner having some time ago resigned from Old age — To fill up this vacancy I should recommend John Decow the oldest Lieutenant in the Regt and well adapted to supply the place of Capt Warner — Ensign Jacob J Ball to supply John Decow's place and Mr James Lyons to supply the place of Ensign Jacob J Ball —

I have the Honor to be &c

THOMAS CLARK Lieut Coll
2d Regt Lincoln Militia

Aeneas Shaw Esqr
Adjt Genl of the
Militia of Upper Canada

(Sundries Upper Canada 1811)

Considerable grants of land had been made by the first land board to officers of Butler's Rangers and the Indian Department three of whom had died on service and the other two had left the province Action was accordingly taken to cancel these allotments

EXECUTIVE COUNCIL OFFICE

York 14th June 1811

Public Notice is hereby given that the Locations designated by the Land Board of Nassau for the following Persons in the Township of Binbrook District of Niagara will be declared open for Grant to other Persons, unless within Six Months from this date they severally appear by themselves or Agent, to establish their Claim, and sue out their Patents.

LIEUTENANT GEORGE HARKIMER
LIEUTENANT HENRY HARE
SURGEON'S MATE PATRICK BURK
LIEUTENANT FREDERICK DOCHSTEDER
CAPT. JOHN MCKINNON

By Command of His Excellency
the Lieutenant Governor in Council

JOHN SMALL
Clk. of the Executive Council

(Sundries, Upper Canada, 1811.)

The author of the next letter was deported as an alien enemy in 1812 and his book was published in the United States in the following year and rapidly ran through six editions.

FROM MICHAEL SMITH TO WILLIAM HALTON

Niagara, June 22d 1811

Worthy sir I hope you will not be offended at the liberty I have taken of writing to you — nothing but the information I have had of your disposition could have encouraged me thus — Worthy Sir it is through your means that I humbly wish to communicate to his Excellency our Governor my design of publishing a Geographical and Political view of the province of Upper Canada.

My design in publishing this work is to give a general information of the goodness of this land and (sic) 'Laws.' I would not wish to do anything that might be contrary to my Governor's wish. I therefore would be very thankful if you would communicate the same to me through the hands of Mr Cameron Printer[1] — If his Excellency should wish to see the manuscript before the signification of his mind it shall be sent. I do not count my self the Author tho' I have assisted in the work and have copied the whole. I am a native of the state of Pensyvania (sic) and came to Canada 18 months ago have taken the oath of Elegence percured a reserve lot of land have a small family and am a poor man. I am Sir with humility your unworthy servant

MICHAEL SMITH

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[1] John Cameron then publisher of the York Gazette and Upper Canada Almanac see Scadding, Toronto of Old, pp. 268-9, 533.

N B I now teach School 3 miles from Niagara

William Halton Esq
York

(Sundries Upper Canada 1811)

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie June 17, 1811

Dear Sir

I must once more call on you for a small quantity of cordage yet wanted for the Chippewa viz
60 fathoms of six thread ratlin
120 do of 15 thread do or perhaps 12 may answer
20 do 2½ inch rope
14 lbs spun yarn
which you will please send up to Black Rock by the first boat and oblige

---

FROM HUGH ALEXANDER TO JOHN MUIRHEAD[1]

Fort Erie June 19 1811

Dear Sir

Yours of the 15th inst enclosing your J W Miller rec'd yesterday I now send by the boat ninety five barrels of flour belonging to Mr Nichol for government which agreeable to Mr Coffin's direction to Mr Warner[2] he is to deliver six hundred bound for at Queenston and four hundred at this place the latter which is already delivered there for agreeable to that direction you as his agent at Chippewa will please for'd to Queenston ninety five barrels flour together with our 150 barrels already at Chippewa which was forwarded to Mr James Cummings not knowing at that time what were to be delivered at that port Should Mr Nichol have given you any directions respecting the above flour himself you will of course be guided by the same or should you have any convenience of keeping the flour safe at Chippewa till we can have advice from Mr Nichol with respect to the forwarding of it to Queenston you can do as you think most advisable for Mr Nichol's interest I have also given directions for the boat to call for Messrs Clark & Street's flour at Mr Miller's

Mr John Muirhead
Chippewa

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[1] A merchant and collector of customs at Chippawa

FROM HUGH ALEXANDER TO WM H ALEXANDER

Fort Erie June 22 1811

Dear Uncle

Yours announcing the death of my brother David came duly to hand and I am very sorry to hear the news but we are all mortal and may be called upon when not as well prepared as I hope he was He has now paid the debt which we all owe and is far from all the cares, troubles and anxieties of this life

I have the pleasure to state that we all enjoy good health hoping that inestimable blessing attends you and family Ephraim is at present at Ancaster at the head of Lake Ontario but intends going to Long Point this summer to commence business with E Crosby Esqr of that place and I hope will do well I should have wrote you immediately on the receipt of yours but have been anxiously both to hear from and see Mr McDougall respecting your business as I employed Ephraim who was down at the time I received your letter to call on him (he McDougall) he at last has come down and paid me 1150 pounds in cash and a note of hand for one hundred pounds N Y C payable Jan 1812 with interest from 14th inst against as good a man as we have in this country part of which I may perhaps get before I go to Montreal which I intend next month if weather permits perhaps about the 18th or 20th and will come home by your place at which time (should I get no safe opportunity to remit the money sooner) I shall give you whatever money I may have received from Mr McDougall's amount and as much of my own as I possibly can

Susan and William Dixon to be kindly remembered to you and Aunt Mary and all enquiring friends

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FROM HUGH ALEXANDER TO SAMUEL STREET

Fort Erie July 19 1811

Mr Samuel Street

Dear Sir

Mr Sent Martin[1] has this morning mentioned to me that fifty dollars was promised by him and his father to be paid in cash to you for money advanced by you to Judge Porter previous to their giving you their draft on me for the note due them They therefore to make their promise good to accomo date you as far as lay in my power I have sent by Mr Sent Martin the above sum say fifty dollars which I hope will arrive safe I shall also inform you as soon as possible balance due them and when payable

---

[1] Should probably be Saint Martin

From Hugh Alexander (*Unaddressed*)

Fort Erie Aug 2 1811

Dear Sir

Yours of the 30th I received yesterday Capt Dobbin has this morning come over and informs me that he has on board the Salina betwixt them and you Hundred Packs and a few barrels potash and as he has some property aboard for Presquile it will be out of his power to come over therefore requested to have them taken from the pier As the packs is all for this place they will be forwarded as soon as possible part will go to morrow With respect to the bales none of them got injured as it was only the ends of a few that got wet which soon dried by exposing them to the air in the store The boat is well man'd and has now six good oil cloths However every possible care will be taken both with the goods and packs

The following letter from the Deputy Superintendent of Indian affairs shows the extreme tension caused by the menace of hostilities by the United States nearly a year before they began

From William Claus to Lieut Colonel Currey

Niagara 17th Augt 1811

My Dr Curry

I am sorry that I cannot tell you that I had disposed of a few more of your Acres Sales are at a stand just now but I will not lose sight of them they ought to sell & well from the situation it is becoming a thick settlement

Your friends in this part of the world are all well & joging on how long we will be allowed to remain in Peace & quietness God knows our neighbours appear much inclined to quarrel with us at least their Govt but they do not know what to do the Eastern States seem as much averse to the French as the Southern are in favour of them & I believe very powerful Tribes of Indians on the Waters of the Mississippi are by no means pleased with the treatment they receive from the Americans & their encroachments Another cause of dissatisfaction is their Trade being in great measure stop'd by the Non inter

course I understand a deputation is gone to Washington from the Missouri on the Subject

The Death of Mr Hamilton has long been known to you, his Second son George was lately married to Jarvis's Eldest daughter & the Second (Augusta) is shortly to follow her example & marry McCormick of Queenstown

Lt Col Curry Comdg
54th Regt Jamaica

(Unsigned draft.)

(Claus Papers Vol 10 pp 19-21.)

James Durand who had previously been major of the first regiment of Lincoln militia having removed to the township of Barton had been appointed a captain in the 5th Lincoln but soon became discontented with his commanding officer who had formerly served in Butler's Rangers and was perhaps not very courteous in his manner

FROM JAMES DURAND TO WILLIAM HALTON

Barton 5th September 1811.

Sir

I have to request that you will be pleased to inform His Excellency Lieut Governor Gore that in consequence of what I thought was his wish when I last had the honor of an interview viz that if any did exist a direct charge should be brought forward by the Officers of the Fifth Batallion of Lincoln Militia against Lt Col A Bradt I have taken occasion to make his disposition known to some of the Gentlemen of that Regiment who heretofore had been very desirous of such an Opportunity they have however now declined coming forward

That His Excellency may be able to account for such a change of mind in those who so warmly desired the removal of Col Bradt I would take the liberty to suggest that it is extremely probable a general relaxation of Duty would upon inquiry be found to have pervaded the Regiment having its source perhaps in the example of the Colonel

I have the honor to remain &c

JAMES DURAND

To
Major Halton
Secretary to Lt Gov Gore

(Sundries Upper Canada 1811.)

In addition to his offices of post master justice of the peace and commissioner of roads Joseph Edwards had been appointed a commissioner for the purchase of merchantable hemp made vacant by the death of Robert Hamilton The letter which follows shows that a considerable quantity had been produced in the district

FROM JOSEPH EDWARDS TO WILLIAM STAUNTON

Niagara 7th Septr 1811

Sir

As Commissioner for the purchase of hemp I had the honor to address his Excellency the Lieutenant Governor through Major Halton so long since as the Ninth of August 1810 stating that I had been applied to by two persons who had that article for Sale and requested that the warrant for the payment of two or three Tons might be made to William Dickson Esqr whom I had appointed as my agent to receive the same To this Letter however no reply was made and I only learned from Mr Dickson that as his brother had mentioned at York that he would take all the hemp offered in this District it was considered unnecessary to send me any money

Within these few months I have had the same applications to take hemp as a Commissioner and in reply referred them to Mr Dickson declined taking any from them and lately I spoke to him myself who said he had no orders from Captain Mill[1] to purchase

This day 29 cwt 1 qr 17 lbs amounting at the price offered by Government to Ninety One pounds 17/ 7¼ Currency has by Messieurs Belden and Totman been put into my hands after taking the Oath prescribed by Law As I did not wish to refuse it on the principle of having no funds to pay them which they understood the other Commissioners always had I applied to *Major Halton* who directed me to you for his Excellency's information on the subject Have the goodness to inform me what I am to do by the first opportunity

I am Sir &c

JOSEPH EDWARDS
Commissioner &c

William Staunton Esquire
Sec'y &c &c &c

(Sundries Upper Canada 1811)

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[1] Probably Captain William Mills who had established a rope-walk and cordage factory at Amherstburg

An endorsement in pencil on the blank page reads

Major Halton was then at Niagara on his way to Lower Canada & this letter was submitted to the Lt Governor — nothing was done in the business

A report of Mr Justice Powell is evidence of the extreme reluctance of the Bench as well as the public to inflict capital punishment for the crime of theft

FROM JUSTICE WILLIAM DUMMER POWELL
TO WILLIAM HALTON

York 26th Septr 1811

Sir

I have the Honor to report for the Information of his Excellency the Lieutenant Governor that on the western Circuit in the District of Niagara George Windeker was capitaly convicted of stealing a Heifer but recommended to Mercy by the Jury which convicted him — As the Man bore a good Character untill charged with this offence and his Connections were respectable I presume his Excellency will think with me that the great object of Example may be attained by commuting his Sentence into perpetual banishment which may be done by a conditional Pardon — I have the Honor to be &c

Wm Halton Esqr WM DUMMER POWELL J

(Sundries Upper Canada 1811)

This recommendation was promptly carried into effect by the following order to John Macdonell the actnig Attorney General

LIEUT GOVERNOR'S OFFICE

York U Canada 30th September 1811

Sir

I am commanded by the Lieut Governor to desire that you will take the necessary measures for a Pardon on the condition of perpetual Banishment out of the King's Dominions being prepared for his Signature for George Windeker capitally convicted of stealing an Heifer at the assizes lately held at Niagara

I have the honor to be &c

WM HALTON S y

John MacDonell Esq
&c &c &c

(Sundries Upper Canada 1811)

The change of administration was announced in the following letter wholly in Brock's handwriting

York, Upper Canada
October 9th 1811

Sir,

I have the honor to inform your Excellency that in consequence of Lieut. Governor Gore's departure for England I have this day assumed the administration of the government of this Province —

I have the honor to be &c.
ISAAC BROCK
M. Gl.

To
His Excellency
Lt General Sir George Prevost
&c. &c. &c.

(Sundries Upper Canada 1811.)

FROM HUGH ALEXANDER TO ALEXANDER REA

Fort Erie Oct. 3. 1811

Mr Alexander Rea

Dear Sir,

I have the pleasure to announce to you my safe arrival at this place on the 15th ult. and had the satisfaction to find my family enjoying good health. Since my arrival part of the time I have not been as well as I was while travelling but have now quite recovered my former good health. I have not as yet seen your son[1] but from my information he is very well. I should be at his place in a few days when I shall call on him. The articles I bought from you have not yet arrived, but I have heard of their arrival at Queenston. Agreeable to your request I made what enquiry respecting the phials I could when coming home and in Albany found them considerably scarce. I have not as yet sold any positively but from their being scarce in Albany I judge they may sell at this place before this time twelve months — therefore if your Hghd[2] of phials is not yet sold you may have them forwarded to Lachine to Mr McGevach by the first opportunity for the season is now far advanced and charge me with the same agreeable to what we mentioned when at your place.

---

[1] Probably Daniel Ross, a merchant at Dover. [2] Hogshead.

With compliments to Mrs. Rea & Family

From Hugh Alexander to Robert Nichol

Fort Erie Oct. 9, 1811.

Robt. Nichol Esqr

Dear Sir

Enclosed you have Michael Hickey's receipt for two barrels marked R. N. to be left at Colonel Ryerson's mill for you which contains 224 lbs Black Pepper agreeable to your order which came after the Chippewa sailed & supposing that you might be in immediate want of it per the first opportunity. One of the barrels not being full and supposing you might be in want of some rope for your own use I put in one coil of White Rope which will answer for traces &c. which you may either credit me with at 2/ York per bill the same as I paid or sell the same at an advance on my account and deduct your commission. the Chippewa has just arrived with 28 barrels of flour which I shall deliver to Mr. Warren as before

From Hugh Alexander to Jabez D. De Witt

Fort Erie Oct. 17/1811

Mr. Jabez D. De Witt

Dear Sir

I have the pleasure to inform you that I arrived at this place on the 18th and found all my connections in good health. Since my arrival I have not enjoyed good health as well as I did when travelling — however I have for a few days past been quite restored and trust that ere this I may congratulate you on your safe return to good health. The case of hats I received on the 25th ulto. And found every article agreeable to the account on the other side I have annexed a memorandum which if you will have the goodness to furnish and forward as soon as you possibly can as the season is far advanced I will make you payment for the same agreeable to your terms for the Hats &c. You will please to put them up safely and send them to Mr. McGevach, Lachine

6 lbs. Verdigrease

1 piece of glazed black hat binding 2nd quality

2 gross black galloon 1 bottle aqua fortis
½ drab do
½ hat buckles 1 superfine white bonnet 23 inches
3 back hat bands inside
1 lb pumice stone
½ doz hat bow strings

FROM HUGH ALEXANDER TO JAMES SINCLAIR

Fort Erie Oct 23 1811

Mr James Sinclair[3]
Dear Sir

When you was at this place I mentioned to you my expecation of making different arrangements with respect to the Chippewa I have therefore made a purchase of the said vessel and will accordingly make arrangements in season for proper persons to sail her the ensuing season

I have therefore to request of you to let me know whether you are at liberty to engage next spring and if so what your lowest terms will be for the same to sail her as master to commence say the first of April and continue the season — the vessel as you know is a good new one and I hope will be well man d which to you if you take the command will be considerable of an object You will therefore make your terms as reasonable as possible as the vessel will not admit of heavy expense — you need not mention what I have wrote you as it might cause others to think hard my giving you the preference

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Oct 24 1811

Dear Sir

Yours of the 21st rec d also one from Mr Kerby to the same effect respecting your goods which came to this place I am extremely sorry it was out of my power to have the Chip go to Long Point as I intended The reason was that she was completely filled with stuff positively engaged before and prior to my purchase excepting a few heavy articles which had to be put in her hold on account of so much deck loadings to make her safe However agreeable to your request I have fitted out an excellent batteau with Archibald Thompson Conductor with those articles which I supposed you were most in need of and also such articles that might be landed should occasion require I have sent very few of Dr Rolph s articles as they were chiefly heavy articles and as I expect the Chip at this place next week

should the wind and weather permit I will then send her immediately with all the remaining articles at this place

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[3] Afterwards a second lieutenant and pilot in the provincial marine on Lake Erie

P.S. I have sent twice over the river in order to get——to go to your place But could get none However I hope the boat will arrive safe

From Hugh Alexander to Robert Gillespie

Fort Erie Nov 7 1811

Robt Gillespie

Dear Sir

Yours of 20 Sept I received the 4th inclosing invoice of sundry goods say horn glass &c which came to hand the same time I have also received the goods forwarded to Lachine while I was in Montreal and which I find all agreeable to the invoice with the exception of three articles amt £3 17 1 Hfx as you have on the other bill With respect to the butter I am sorry any difference should occur in the weight However when season will permit please send the amount of sales as then I can have recourse on them I purchased it from the quantity different

Sept 27, 1811
Mr Robt Gillespie
To Hugh Alexander Dr

	£	S	D
To 2 doz wood rasps at 14/6	1	9	0
½ horn at 16/	0	8	0
	1	17	0
Advance 42½ per cent		15	8½
	2	12	8½
½ doz knit wool braces at 32/6	1	4	4½
Hfx C.	3	17	1

From Hugh Alexander to Robert Nichol

Fort Erie Nov 15 1811

Robt Nichol Esq

Dear Sir,

Enclosed you have an account of 84 pieces of your goods the whole number at this place —— the articles you mentioned in your last letter shall be attended to and every article I hope sent the next turn as I shall have to send the vessel once more if the season will permit All your goods except some which

I expect for you has not yet come forward but is daily expected There is also a number of articles as you will see in your bill which I have taken the liberty to address to your care which please have stored till I can have an opportunity of taking them away The 25 bbls of salt marked E Hasbrook of Juba Storr and Co who has a store at Townsend under the direction of C Foster and Co or Mr Cayl himself you may perhaps know best as you live near them who to inform respecting them the remainder say 40 barrels more will be up next turn

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov 23 1811

Robt Gillespie

Dear Sir

Your kind favor of Oct 12 covering the sale of butter I rec d yesterday and feel well pleased with you sending it to the Quebec markets I find by the acct of sales one barrel of butter is yet unsold If you have not received it please enquire at Messrs Parker Gerrard Ogilvie and Co if they have sold it very well if not you will please appropriate the proceeds to my credit as before should Government purchase flour and pork this season I shall make an offer for part of mine at least However as yet I am not certain with respect to that market as no advertisement has appeared for that purpose Butter is very scarce at this season However in the spring I shall pay strict attention to the Quality and packing of that article for your market You will in your next letter have the goodness to say what you think lard and potash will be likely to bring next spring or if saleable

Colonel William Claus reported the measures he had taken in accordance with his instructions to restrain the western Indians from beginning hostilities against United States in a letter addressed to James Brock then civil secretary to his brother the General

Fort George 9th Decr 1811

Dr Sir

I have to acknowledge the receipt of your letter of the 3rd instant

Agreeably to General Brocks desire to know what steps I had taken with the Supt of Indian Affairs at Amherstburg to use his influence with the Indians to keep them quiet I beg leave to enclose an extract from my letter to him of the 24th ulto in which I desire him to recommend to the Indians Peace and should any attack be made on them by the Americans to retire A copy of Lieut Gov Gore s letter to me of the 26th Feby last Discouraging any hostile measures on the part of the Indians was transmitted to the Supt of Ind Affairs at Amherstburg the 7th of March last with directions to pay the most particular attention to the contents I have again written to him in consequence of your letter of the 3rd by Bell,[1] the shipbuilder who left this yesterday be informed that the report of the Action on the Wabache[2] was not believed in when he left Amherstburg the 1st instant

P S The enclosed copy of a letter from Colonel Elliott which I rec d two days ago I beg you will lay before Genl Brock dated 24th ulto

(Dominion Archives S Indian Affairs U C 1810-1813)

Some letters from the enterprising Benjamin Canby have escaped destruction

From Benjamin Canby to Charles Askin

Friend Askins

Dont delay in geting a line to york Respecting the reserve I met Holly on his way Down to Isac Sweasys He inquired of me whether the Governor had left Newark yet I informed him he had I beleave his business in getting Isaac Swesy to aply for the same land for him so that William Dixton should right immediately so as to get the start it would without a doubt put a stop to it I remain yours

Benj Canby

fifteen mile crick
Tues Day morning

Addressed —
To
Charles Askin
Marchant
at Queenston

(Askin Papers Canadian Archives undated probably 1811)

From Benjamin Canby to Charles Askin

Canbury 24 Oct 1811

Friend Askins

according to William Leans request I have sent the boat

---

[1] William Bell foreman or master builder of the naval yard at Amherstburg 1812 1813 [2] Generally called the battle of Tippecanoe 7th November 1811

Down which will be a convenient chance for your goods to be conveyd they brought your salt and Iron from conrons took from the mills 10 Barrels Potash please to not neglect feching up your Surveying instruments likewise a grind stone I purchasd from Squire Cowan thats if the boat will conveniently take it for it is much wanted I remain your Frend

BENJ CANBY

N B I understood from Garner from Leans that you had a man Coming up to help Down the boat but he has not arivd yet please to right to Gorge Kefer not to Delay running out the road as the oversears is Detained from working on that head until he lays it

Addressed —Charles Askin
Marchant
at Queenston

(Askin Papers Canadian Archives)

After carrying on his business for some months at Queenston Charles Askin removed to Canboro where he organized the militia of that township and Haldimand having Benjamin Canby as a subaltern As the following letter indicates he undertook the management of a mill which had been built by Canby on a small creek falling into the Chippwa

FROM JOHN CLARK TO CHARLES ASKIN

15 Mile Creek 21st Decr 1811

Dear Sir

Having understood there is a person in your employ named Rouse a Millwright — if you can possibly spare him for a week or two will you have the goodness to allow him to come down and assist in finishing a Grist Mill that I have lately purchased— I have wrote to him on the subject and trust that you will use your influence with him on my part

Hoping that you find your country residence pleasing and that we shall see you this way soon I am

yours Truly

JOHN CLARK

Charles Askin Esqe
Addressed —Mr Charles Askin
Merchant
Canborough

(Askin Papers Canadian Archives)

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 43

RECORDS OF NIAGARA
A Collection of Contemporary Letters and Documents
1812

Collected and Edited
by
BRIG.-GENERAL E. A. CRUIKSHANK

Published by the
Niagara Historical Society
1934

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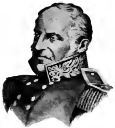

RHSheaffe

— Sir Roger Hale Sheaffe —

PREFACE

The documents printed in the following pages have been collected from a variety of manuscript sources and will be found to complement those published in "The Documentary History of the Campaigns on the Niagara Frontier in 1812 and 1813," in 1896 and 1899 by the Lundy's Lane Historical Society. They throw considerable further light on the civil and military affairs of that time.

RECORDS OF NIAGARA

No. 43

1812

FROM THOMAS DICKSON TO JAMES BROCK

Queenston, 11th January, 1812

Sir,

Mr Addison having been very ill for these two weeks past, and although the Doctors now think him out of danger he will not be able to attend at York the ensuing Session of Parliament as Chaplain to the House of Assembly, by his desire, therefore I now write to Mr Stuart[1] to request him to officiate for Mr Addison, and the present is to request you to get His Honor the President to give his permission for Mr Stuart so to do.

I have the honor to be
Sir
Your most obedt Servant
Thomas Dickson

James Brock Esqure
Secretary to His Honor the President

(Dominion Archives, Sundries, 1812)

Within a month Mr Addison had recovered sufficiently to be able to write the following letter.

Niagara, Feby 8th, 1812

To His Excellency Genl Brock,

May it please your Excellency

Mr Petets[2] having made me acquainted with the probability of a new District being formed, at the Head of Lake Ontario[3] in which he contemplates to remove and establish himself and having suggested to me a desire to obtain the office of Clerk of the Peace or Register in the event of such a Division taking place, I have taken the liberty to recommend Mr. Peters to your Excellency's notice as a person whom I have long known and whom I believe to be every way qualified to fill either of those Offices above mentioned.

---

[1] Reverend George Okill Stuart, minister of the Church of England at York

[2] William Birdseye Peters, a son of Reverend Samuel Peters

[3] Formed in 1816 as the District of Gore.

I have the honor to be
your Excellency's most Obedt
& most Hble Servt

Robt. Addison,
Minr. of Niagara

(Dominion Archives Sundries Upper Canada, 1812)

FROM JOSEPH EDWARDS TO HON JOHN McGILL

Niagara, 17th Jan., 1812.

Sir,—

In accounting for the above balance [£126.15.0] permit me to observe that a continuance of work for the amount has been contracted for, some part of the money advanced and about £20 of the work actually done, but the men through their tardiness being catched by the frost when, as they say, within two days of finishing I could not examine the same Of course they remain in part unpaid, and the whole uncharged An exception may again be made to the purchase of spades under the impression that the law requires persons performing Statute Duty to come prepared with those articles The British Statute does the same, but implements are also furnished, and I am fully convinced that the purchase of wheelbarrows and planks in addition to the above would be of public use on that road to assist the Statute Labour when the public money is expended.

It may be thought that I have unnecessarily protracted the appropriation of the money, but I am confident the delay has been of good to the Public, since it has enabled me to see the utility of a continued ditch on one side only of the road, the water always finding its level has pointed out the places where to bridge across a channel dug to let the water pass, and has had the most happy effect on this road.

As to the £45 appropriated to the cross-road in Grantham, it is untouched in my desk Soon after it was known that the money was voted, I was applied to by one Joel Austin, and who, I dare say would have done the work faithfully Not having been then appointed I could only promise to hear his proposals, when that took place, he, however, it seems, went and having boasted of having got the contract and I soon found a violent party (Methodists) each individual of which had anticipated a share of the money, was formed against him After being appointed on the 5th of June, I twice examined the place, which I found little more than a pathway, a long narrow causeway seemingly not wider than ten feet, with a ditch close on each side, made diagonally across the lands of a few farmers for their convenience in going to mill; in no place 30 ft wide, and when speaking to some of them about moving their fences was answered that they would expect the spaces between the concessions in lieu. Some time after, in company with Mr Crooks and Peter Ball Esq, I again examined the road, and found the same indifference among the few we could see; one would remove his fence if the other did This is not yet done to my knowledge and until it is, in my opinion, any money laid out would be thrown away.

I have the honor to be &c
Jos'h Edwards, Comm'r &c

Hon John McGill, Inspector &c, &c, York

The following letters show that Hugh Alexander carried on his business at Fort Erie until it was abruptly terminated by the declaration of war

FROM HUGH ALEXANDER TO PARKER, GERRARD, OGILVIE & CO

Fort Erie Jany 20, 1812.

When in Montreal last August I left with you twelve barrels pork and requested that the proceeds should be paid to Thos Clark Esqr on his acct at Montreal together with twenty barrels of flour which was still at that time at Prescot or should Capt Gilkison keep that flour he was to remit to you 45£ Currency which he informed me this fall he had done —some time after Mr Clark's return I called to know if he had received the above which he said he had not and not having heard anything from him on the subject I have now drawn on you in favor of Messrs Lee & Clark for £90 Cy, which you will I trust have the goodness to honor and should the above [have] been passed to Mr Clark's credit since he left Montreal I will remit you either bill or flour early in the spring sufficient to discharge the above draft together with whatever compensation you may think right for the use of the money

FROM HUGH ALEXANDER TO ALEXANDER REA

March 21, 1812, Fort Erie

I wrote you on 3 Oct 1811 requesting you to send the whole of the phials which you had on hand when I left Montreal but have not had the pleasure to hear from you since, in consequence of which I am led to believe that the letter must have been miscarried in which case if you have the said phials I will thank you to forward them to Mr McGevack as early as there will be any opportunity of forwarding as I have made promises on the supposition that they would have come last fall and the persons to whom I have promised are anxiously waiting their arrival this spring supposing they are on the communication last fall you will please advise me as soon as possible to say whether you have the phials yet or if you have sent them and what the profits are of your market this season

---

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Mar 25, 1812

Yours 20th February came to hand the 15th instant by which I am very well pleased to see the markets are looking up

I have made an offer to Government for my pork and 200 barrels of flour but am not certain as yet whether it will be accepted or not as there is only a small quantity as yet wanted in this Province I shall be glad to hear from you as often as leisure will permit

---

FROM HUGH ALEXANDER TO JABEZ D DE WITT

Fort Erie, Mar 25, 1812

I wrote you on the 3rd of Oct 1811, inclosing a small memorandum for some articles in your line of business but have not as yet had the pleasure to hear from you, therefore have been necessitated to procure the articles from another quarter--you will therefore have the goodness not to send the articles this spring as I shall have no use for them at present

FROM HUGH ALEXANDER TO WILLIAM ALEXANDER NEAR SCHENECTADY

Fort Erie, Mar 26, 1812

The first of the month I was at Long Point and Ephraim informed me that he was to remit you some money if possible by the first of April I now enclose you sixty dollars which goes forward by mail and I hope will arrive safe and which place to his credit

I went to see McDougall but he was gone to York But left a line for me to say that he would be at this place in April and perhaps would have it in his power to pay part—business at this place is very dull at present Ephraim was well when I left Long Point and also your friends in this quarter With compliments to Mrs Alexander and family

---

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, March 30th, 1812

Your favor of the 23rd instant came duly to hand mentioning our verbal agreement respecting the transport business this season in which I will do the business for what you have stated and part which you have omitted at 1/6 N Y C. per barrel from this place to Chippawa that being the same also as last year

---

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie Ap 1, 1812

Agreeable to your request I called on Mr Lovejoy with your draft who mentioned he had remitted you the amount per Dr Cotham also I spoke to Mr Grosvenor presenting Mr McGevack's two accts, the one say £10 8 0 currency which he has paid to Messrs Clark and Street by request of Thomas Clark, Esqr, and the other small amount of £2 16 0 Cy will be more convenient for him to settle in the same way as he has a demand against John Osborne who is in Clark and Street's employ Having seen Mr Clark's acct in favor of Mr McGevack of Aug 16 1811 for the said sum of £10 8 0 per Clark and Street's receipt for the said money by Mr Osborne I am well convinced that Mr Grosvenor's statement is correct, in consequence of which I now enclose to you the above two accts and also your draft on Mr Joshua Lovejoy for £9 2 0 N Y C.

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie, April 6, 1812

Having made a contract with a Mr Goodwin at Chippawa to build a boat for me which he now informs me will be out of his power unless I can procure the plank and scantling from you for that purpose If you will therefore have the goodness to let him have the quantity I will pay you for the same and you will confer a favor on yours &c.

FROM HUGH ALEXANDER TO JAMES CROOKS

Fort Erie, April 18, 1812

Having a small acct with Seth Winslow on his leaving this place he sent me the enclosed draft on W. & J. Crooks for £9 7 3 N Y C., dated 24th instant, his reason for which date is best known to himself Having just heard that he has resigned I shall request the favor of your acceptance, if agreeable. If it is not in your power to accept it you will have the goodness to deliver the written draft to the bearer, Mr Grant

FROM HUGH ALEXANDER TO W. & J. CROOKS

Fort Erie, May 2, 1812

Yours of the 24th came to hand yesterday by which I find that £5 15 8 N Y C. on Mr Winslow's draft has been collected and as there is only remaining £3 11 7 due on the draft perhaps you can have it in your power the next time to draw the same as you, I should expect are his agents in this quarter and in so doing you will confer a favor on yours &c

FROM HUGH ALEXANDER TO WEST & HASBROOK, ONONDAGA

Fort Erie, May 14, 1812

Your favor of 22 April I received the 4th instant and in answer to which I have to state that the 70 bbls of salt was Mr McCormick's property if returned by the time mentioned in your letter, say June 1 I shall also mention to Mr Sides? to be in readiness for you the first time I see him as to the delivery of salt at this place I am at a loss to state my price as very little is sold and if any it is on a credit of perhaps 12 months at 40/ per bbl You will have the goodness to collect all you possibly can from Mr Mead and forward it as you mentioned to Mr McCormick If the laws will permit, if not forward it to Lewiston to whoever is your agent at that place or Mr Joshua Fairbanks as you see proper

FROM HUGH ALEXANDER TO CAPT WILLIAM MILLS

Fort Erie, May 30, 1812

I understand that you have a quantity of cordage on hand in which I presume you have different sizes Will you have the goodness to send by the return of the ship sixty fathoms of 6 inch or 6¼ jute cable for the Chippewa with a bill of the same and when payable If you could make it payable the 1st Oct next it would suit me best

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, June 24 1812

I enclose you here my acct for baking 2350 lbs biscuit for the South West Company—amount £14 2 0 N Y C., which you will please pass to my credit I also made use of 14 bbls flour for said biscuit which was to be replaced at Queenston four of which I have received, the other ten will you have the goodness to mark H A and ship with the rest of my flour should Gray's sloop be at Queenston I should wish you to ship any flour in her to Prescott—if not, send it by the first safe vessel

FROM HUGH ALEXANDER TO GRANT AND KERBY

Fort Erie, June 25, 1812

I have in my store 14 bbls Potash and Pearl as was marked G H for Messrs Grosvenor and Hancock, Buffalo, and will be forwarded by the boat next trip, you will please to ship them in the first safe vessel to Prescott and consign them to Messrs Tappan & Sewall, Montreal All flour is from this at present

Relations with the United States had become so unsatisfactory and menacing that instructions were issued to place the frontier military posts in Upper Canada in a suitable condition to resist an attack

FROM NOAH FREER TO LIEUT.-COLONEL BRUYERES R.E.

Military Secretary's Office,
Quebec, 3rd February, 1812

Sir,

I am directed by the Commander of the Forces to desire that you will take measures and give such orders as may be necessary that the following services at the posts mentioned in Upper Canada be executed with as little delay as possible, viz:

Fort George

The works &c at this station to undergo such repair as is necessary to render the post tenable

Fort Chippawa

The picketting around this post to be repaired or renewed

Fort Erie

The work already executed at this post to be closed.

Fort Amherstburg

To be made tenable

St Joseph's

The picketting at this post to be repaired or renewed.

(Dominion Archives, Sundries, 1812)

Two letters from Charles Askin to his father, then living at a house, which he had named Strabane, near Sandwich, throw some interesting light on the proceedings of the provincial parliament.

York, 24th February, 1812

Dear Father:

I have been here some days on business, part of which is to try and get some money from the Legislature to be laid out on a road passing through the place where I live[1] and to get exchanged from the Regt of Militia to which I now belong into one in the district of Niagara, which I believe I will have no difficulty in doing as the President[2] has no objection to it. I had the honor of dining with him the day after my arrival here and have an invitation to a Ball he gives to night, to which I intend going. The Legislature have not done much yet, a bill has passed the lower House respecting the Militia. In every district there are to be two light companies to consist of one hundred men each who are to be called out six days in every month until they are perfect in their exercise. The law gives power to the President or person administering the Government to suspend such Officers of the Militia as he thinks proper. A Law respecting carriages meeting on the road has also passed the House, all carriages meeting are to turn to the right and give half the road whether going or coming from Market.[1] A few days before I left home I had the pleasure of receiving a letter from you and one from Johny—I cannot answer yours till I return home but hope I shall soon have an opportunity of doing it after I get there. I expected James all winter but begin to fear now I shall not see till next summer.

---

[1] The Canboro Road.

[2] General Brock.

Feb. 25th

I saw Capt. Elliott[2] last night at the Dance, he told me he had a letter from Archange to Theresa.

(Askin Papers, Burton Historical Library, Detroit)

FROM CHARLES ASKIN TO JOHN ASKIN, SR.

40 Mile Creek, Feby. 28th, 1812

Dear Father,

I am now on my way from York where I have been some time and from which place I wrote to you a few days ago. A person who I have met here on his way to Detroit gives me a favorable opportunity of writing to you, which I embrace tho' I have little to say. The Legislature have done little this Session as yet and as the house is soon to be dissolved there will not be much done. A new Militia Act is passed. In every Regt. there are to be two flank companies to consist of one hundred men each which are to be out six days in every month for the purpose of training until they are perfect in their exercise, regular soldiers will be employed to drill them. I believe the house has voted £8000 to the President to be laid out in such a manner as he thinks best, for having the Militia trained.

A law respecting travellers on the road meeting has also

passed the house all persons meeting in carriages or sleighs are to give half the road and after December next no one is to drive a sleigh without Bells

---

[1] Entitled "An Act to Prevent Damages to Travellers on the Highways in this Province."

[2] Mathew Elliott, then member of the Legislative Assembly for the County of Essex.

Mr. Nichol[1] was committed to Gaol in York by a warrant from the Speaker of the House of Commons the day before I left it, this was for writing something to Major Halton[2] offensive to them in justification of his conduct when wrongfully accused by that House of not having accounted for Public money in his hands—it's so lengthy a business that I shall not enter more fully into it, as I should then not be able to give you all the particulars of it[3]—and you will have the whole of it from the members when they return home which will be soon

Orders have been received lately from Below to fortify York I met the Engineer here this evening from Niagara on his way there (probably for that purpose)

(Askin Papers, Burton Historical Library, Detroit)

By a proclamation dated at York on 25th February, 1812 the following persons were appointed commissioners in the Niagara District to carry into effect the Act recently passed for the prevention of seditious conduct Joseph Edwards of Niagara John Warren, Sen., of Bertie, John Warren of Bertie, Samuel Street of Willoughby Thomas Clark of Stamford Thomas Dickson of Queenston, William Crooks of Grimsby and Samuel Hatt of Ancaster, all of them being magistrates The letter of Thomas Clark acknowledging his appointment, has been preserved

FROM THOMAS CLARK TO JAMES BROCK

Stamford, March 12th, 1812

Sir,

I have the honor to acknowledge the receipt of your letter of the 27th ulto., inclosing a Commission from His Honor the President empowering me to carry into effect an Act passed in the Fourth Session of the Third Provincial Parliament of this Province—entitled an Act for the better securing this Province against all seditious attempts or designs to disturb the tranquility thereof

---

[1] Robert Nichol, then a commissioner for highways in the London District

[2] William Halton, civil secretary to Lieut.-Governor Gore

[3] See Papers and Records of the Ontario Historical Society, Vol XIX, pp 10-19

To which Commission please make known to His Honor the President that strict attention will be paid by,

Sir,
Your most obedt. servt.,
Thomas Clark

James Brock, Esqr., &c., &c., &c.

(Dominion Archives, Sundries, 1812)

The following petition from three enterprising inhabitants throws some light on economic conditions.

To His Honor Isaac Brock, Esquire, President administering the Government of the Province of Upper Canada and Major-General commanding His Majesty's Forces within the same.

The Petition of James Macklem, John Fanning and Benjamin Hardison of the District of Niagara Gentlemen

Humbly Sheweth,

That your Petitioners, four years since, laid before His Excellency Lieutenant Governor Gore a Petition praying for a Grant of a certain mill-seat lying below the mouth of the river Welland or Chippawa in the Township of Stamford wherefrom His Excellency promised that he would do everything which laid in his power in our behalf, but probably owing to a multiplicity of business which engaged his attention, we never obtained a final answer on the subject.

Your petitioners have resided in this Province about twenty years, during which period it has been their highest ambition to promote its true Interest and Prosperity by the encouragement of its population and by the promotion of Works of Public utility which exertions they conceive, have been crowned with a Success in most respects equal to their wishes. One of your Petitioners John Fanning, has been at heavy expenses in erecting Mills in this part of the Province, particularly one at Black Creek, which was consumed by fire in February last whereby he sustained a loss of two thousand Bushels of Wheat.

It is impossible for us to point out the great want of Mills in this part of the Province, the Mills now erected at the Falls and at Bridgewater cannot manufacture near the quantity of Grain now raised in this Quarter of the Country, and there are now in the aforesaid Mills upwards of twenty thousand bushels of Wheat, though the inhabitants cannot obtain sufficient Flour for their own consumption. The said

Mills being possessed by a company who adopt such Rules and Regulations respecting them as best suit themselves, the inhabitants having no alternative but to comply with those Measures consider themselves much aggrieved and burthened[1] Your Petitioners therefore pray that your Honor will be pleased to take this Grievance into your wise consideration together with the aforesaid Petition laid before His Excellency Lieutenant Governor Gore

But if your Honor do not think proper to grant to your Petitioners the said Mill-seat we most earnestly hope and pray that your Honor will not cause it to be granted to the aforesaid Company[2] but to some worthy Person wholly unconnected with said Company

If, in the opinion of your Honor, this Petition would have greater weight with you by having the support of five hundred of the most respectable inhabitants in this Quarter, their Signatures for that purpose may be obtained within a few Days

We further pray that your Honor will be pleased to cause the Honorable Council to take this into their wise consideration and give us an answer to our former Petition which was ably supported by the most respectable inhabitants in this part of the Province

And your Petitioners as in duty bound will ever pray

James Macklem[3]
District of Niagara John Fanning[4]
March 31st, 1812 Benjamin Hardison[5]

(Dominion Archives, Sundries, 1812)

The amended Militia Act was formally assented to on March 6th, when the provincial parliament was prorogued

and very soon after orders were sent to the commanding officers of all regiments to assemble their men and call for volunteers to form the flank companies to be trained for six days in each month until reported efficient. Several of the reports of these officers have been preserved.

---

[1] This discontent seems to have found expression in the election of John Fanning as a member of the Legislative Assembly for the fourth riding of Lincoln in May, 1812. He died soon after and was succeeded by Isaac Swayze

[2] Apparently Clark and Street

[3] He had immigrated from Pennsylvania about 1794 and established a store at Chippawa (see Papers and Records of the Ontario Historical Society, Vol. XXVI, p 251)

[4] Fanning had come to Upper Canada about 1781 from South Carolina, where he forfeited property, as a Loyalist, valued at £1103 10s, and married the daughter of a Loyalist He had managed an inn at Chippawa for several years

[5] He had lived in the province since 1776 and had been a member of the Legislative Assembly for the fourth riding of Lincoln and Norfolk, 1797 1800 See Papers and Records, Ontario Historical Society, XXIV, p 76

FROM COLONEL RALFE CLENCH TO MAJOR-GENERAL SHAW

Niagara, 1st April, 1812

Sir,

I enclose the return of the First Regiment of the County of Lincoln Militia by which you will see our total strength with the number of our loyal men who volunteered. You will likewise notice the great number who did not and I am happy to say that the major part of those persons are people from the United States lately with a few of our malcontent settlers in the towns of Niagara and Queenston and village of St. Davids where Captain Robertson's[1] mostly reside.

I also enclose a letter from Lieut.-Colonel Kerr[2] which he has stated to me personally to be his resignation. This you will please lay before His Honor, the President, and I will thank you to let me know his pleasure thereon as soon as possible.

(Dominion Archives, Militia Papers, U.C., 1812)

FROM LIEUT.-COLONEL THOMAS CLARK TO MAJOR-GENERAL SHAW

Stamford, April 3rd, 1812

Sir,

I had the honor of receiving your circular letter of the 12th ulto in consequence of which the 2nd Regiment of Lincoln Militia under my command was called out and met yesterday in the Township of Thorold when the supplementary Militia Law was explained as fully as in my power. Herein you have the field return of the regiment by which it will appear that out of 550 men 522 volunteered to be trained and exercised in the flank companies when and in what manner may be directed by His Honor the President.

By the return you will perceive that two of my companies are without captains, Captains Warner & Reilly[3] having some time ago resigned from infirmity & old age. Should His Honor, the President think proper to appoint others in their place, give me leave to recommend Mr Robert Grant of Queenston, who has formerly been a captain of militia in the Western District and Lieut John Decow, the oldest lieutenant in my Regiment

---

[1] William Robertson, promoted to be Major, 1 June, 1812 and Lieutenant-Colonel, 27 June, 1812.

[2] Dr. Robert Kerr.

[3] Probably Christian Warner and John Reilly, both of whom had been sergeants in Butler's Rangers.

(Dominion Archives, Militia Papers, U.C., 1812)

FROM LIEUT.-COLONEL JOHN WARREN[1] TO MAJOR-GENERAL SHAW

Fort Erie, 12th April, 1812

Sir,

I have had the honor of receiving your circular letter of the 12th ulto., with the supplementary to the Militia Law, passed the last Session of the Legislature, saying

That His Honor the President was anxious that the provisions therein contained should be explained to the men under my command, and that whatever measures His Honor might find it expedient to adopt he would dispense with a ballot until the last emergency.

I have great satisfaction in acquainting you that the behavior of the 3rd Regiment of Lincoln Militia has precluded the necessity of a ballot Four companies of the Regiment are resident in the Townships of Bertie and Humberstone, the other four companies reside in Willoughby Crowland and Wainfleet, on the east side of the Chippawa to the distance of thirty miles up that creek It therefore became me to consider the ease of the men, by lessening the fatigue of their assembling at too great a distance from their farms The first four companies were ordered to assemble in Bertie on the 9th instant and the other four companies to form at the mouth of the Chippawa on the 10th, at both of which places I attended

Of the companies of Bertie and Humberstone every man voluntarily turned out, to the number of two hundred and six. The four companies at Chippawa also behaved well, out of two hundred and eleven on parade, only five stood fast

---

[1] John Warren, Sr., had come to Canada with the 8th Regiment as a drummer, but was appointed about 1780 assistant commissary at Fort Erie and held that appointment until his death in 1813 He was one of the first Justices of the Peace in the district of Nassau and the first Collector of Customs at the port of Fort Erie Passage, with an outport at Long Point and inspector of pot and pearl ashes.

While the circles were formed at both places and I had read and explained the acts, the officers were called upon to step forward and take the oath and after setting the example not the least hesitation was made, and every man, officers and privates, stood around while Messrs. Street and Crowell Wilson administered it.

(Dominion Archives, Militia Papers, U.C., 1812)

A circular letter from Brock was sent to twenty-five officers commanding regiments of militia, including the five regiments of the County of Lincoln, giving them carefully considered instructions for the organization and training of the flank companies to be formed in their regiments.

Head Quarters, York, 8th April, 1812

Sir,

The power which is vested in the person administering the government by the amended act of the militia passed the last session of the Provincial Parliament of forming two flank companies to be taken indiscriminately from the battalion, being limited to the end of the ensuing session would almost deter me from incurring public expense upon a system which will cease to operate before its utility and efficacy can well be ascertained.

But being anxious at this important crisis to organize an armed force with a view to future exigencies and likewise to demonstrate by practical experience the degree of facility with which it may be trained for service, I have to request you to adopt immediate measures for forming and completing from among such men as voluntarily offer to serve two companies not to exceed 1 captain, 2 subalterns, 2 sergeants, 1 drummer and 40 rank and file each in the regiment under your command.

You will have the goodness to recommend who you conceive the best qualified to undertake this important duty. The nomination of the subalterns is left to your discretion.

Such other regiments as are conveniently situated to receive military instruction shall have an opportunity offered them of shewing their ardor in the public service which cannot fail creating a laudable emulation among the different corps.

Assisted by your zeal, prudence and intelligence, I entertain the pleasing hope of meeting with very considerable success and of being able to establish the sound policy of rendering permanent at the end of the present war, a code of military instruction little burdensome to individuals and every way calculated to secure a powerful internal defence against hostile aggression.

Printed rules and regulations for your future guidance shall be forwarded as soon as possible, the most simple and at the same time the most useful movements have been selected for the practice of the militia.

Experience has shewn the absolute necessity of adopting every possible precaution to preserve in a proper state the arms issued to the militia and of guarding against the heavy defalcations that have heretofore occurred.

For which purpose you are authorized to prepare one or more depots in situations the most safe and convenient for assembling and drilling the men by squads and where the arms are to be lodged after each day of exercise.

You are allowed to charge in your contingent account at the rate of five pounds yearly for every twenty muskets issued for the use of the men, which sum it is supposed will prove ample to defray every expense of keeping the arms and accoutrements in a complete state of repair.

You will make application to the officer commanding at Fort George[1] for the number of arms and accoutrements wanting to complete the men actually engaged to serve in the flank companies and that officer has been instructed to comply with your requisition upon your transmitting duplicate receipts, one of which is to be forwarded to head quarters that you may become responsible for the articles delivered to your order, at the same time the most liberal construction will be given to any representation accounting for such contingencies as are incident to the service.

John Clark[2] has been appointed to perform the duties of adjutant under your command. Should you find him incompetent to the task, you will feel it your duty to report the circumstances from whatever source it may arise.

I cannot dismiss this subject without expressing my expectations that your knowledge of the localities of the country will enable you to make such arrangements as will give the utmost facility to the important object in view without subjecting the men to any material inconvenience. Coming generously forward with an offer of their services they are the more entitled to every consideration.

Not only the place but likewise the time for assembling the companies or squads will be strictly attended to by you. It is my earnest wish that the little the men have to learn

may be acquired by way of a pastime and not looked upon in the light of an irksome restraint. The generality of the inhabitants being already acquainted with the use of the musket have the less to learn. You may therefore under the existing circumstances limit the parade of the companies to three times in each month.

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[1] Other regiments were authorized to draw arms, &c., from Kingston, York and Amherstburg, according to convenience.

[2] For the 1st Regiment of Lincoln. James Kerby was appointed adjutant of the 2nd, Henry Trout of the 3rd, John Taylor of the 4th, and John W. McIntyre of the 5th. Lieut. Colonel Johnson Butler commanded the 4th and Major Richard Hatt, the 5th Lincoln.

A little attention on the part of the men will very soon enable you to reduce even that short term of attendance. The chief object of the flank companies is to have constantly in readiness a force composed of loyal brave and respectable young men, so far instructed as to enable the Government on any emergency to engraft such portion of the militia as may be necessary on a stock capable of giving aid in forming them for military service. To your prudence and exertions I confidently look for the attainment of a system so evidently conducive to the safety and tranquillity of the province.

(Dominion Archives: Militia Papers, U.C.M.D. 31)

The following documents give some indication of the care taken by Brock to appoint trusty returning officers and fix the date of the polling at a time agreeable to the candidates favored by him.

Queenston, 13th May, 1812

Received from Archibald Oliver, Corporal 41st Regiment on this Thirteenth day of May 1812 one parcel containing Writs and Instructions for me as Returning Officer of Members for the Third Riding of the County of Lincoln, to serve in the new Parliament at the ensuing Election.

James Kerby

(Dominion Archives, Sundries 1812)

Burford 6th May, 1812

Received from the bearers two Natives, the packet containing the Writ of Election &c.

Sir your most
obedient and humble
Servant

(Unaddressed) William D. Bowen

(Dominion Archives. Sundries, 1812)

FROM J B ROUSSEAU TO JAMES BROCK

Ancaster, 19th May, 1812

Sir,

I enclose you two receipts, one from Mr Wm D Bowen, the other from Mr John Bostwick, acknowledging having received their Writs of Election

Mr Hebron's[1] and Durand's I delivered myself I took notice of your direction not to forward Mr Bostwick's too early But the Man that I sent to Col Nichol with Col Talbot's letter got there sooner than I expected, of course he received it a few days earlier than you wished I hope it may be no ways material

I enclose you a letter from Mr Bostwick, also one for His Honor the President

I am Sir
your very obedient
humble servant,

J B Rousseau

James Brock, Esqr

(Dominion Archives, Sundries 1812)

A letter from Charles Askin to his father announced the purchase of the mills and adjacent lands in the township of Canboro

Canborough, May 22nd 1812

Dear Father:

I have been anxiously waiting to have an opportunity to write to inform you that I had jointly with Alexr Hamilton purchased of George Hamilton (who has lately bought of Mr Canby) the Mills[2] and one thousand acres of land situated near them which we have for some time past leased for these we are to pay £2000 N Y C[3] in ten years in goods at retail price payable by installment—this I do not conceive to be more than about £1500 in money, and the land at the lowest valuation is worth 10/ an acre which would reduce the Mills dwelling house Distillery and other house to £1000 which is thought very little for them had it been in my power to have consulted you before I made the bargain I should have done it but it was impossible to do it for unless it was made immediately when it was proposed there was a great chance of it falling through and were I to have declined making the bargain, I was making Alexr Hamilton lose what he thought a good one for he would have nothing to do with the business unless I joined him—George Hamilton bought 14 000 acres of this Township, on part of which were the Mills, for which he pays £7000 in 5 years with interest—this bargain is considered an excellent one by Mr Thomas Clark Mr Dickson[1] & some others, who have speculated a good deal themselves in land & know the value of it well—Though I have no society here and have little or no amusement, I am well pleased with my situation for I am kept busy and have not time to be lonesome and I think my prospects of making something are greater than they were in any situation I have been in—I intend to leave this in a month to go and pay you a visit and should I have time I shall go to St Josephs to see Johny[2]

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[1] Probably William G Hepburn

[2] Probably the mills built by Canby on Moore's Creek (see Papers and Records of the Ontario Historical Society, Vol XXIV, pp 35 36)

[3] $10,000

I am in haste and must conclude Please give my love to my dear Mother my Brothers and Sister

(Askin Papers, Burton Historical Library, Detroit)

A list of ships on Lake Ontario in 1811-1812 compiled from returns of lighthouse dues collected at Niagara and York, shows that commerce was actively conducted by water

Schooner	Ontario	87 tons
"	Niagara	55 tons
"	Collector	50½ tons
"	Prince Edward	77 tons
"	Julia	53 tons
"	Fair American	82½ tons
"	Governor Simcoe	136 tons
Sloop	Elizabeth	48 tons
Schooner	Lady Gore	46 tons
"	Genl Hunter	36 tons
"	Mary	35 tons
"	Two Brothers	36 tons
"	Eagle	26 tons
"	British Queen	23 tons
"	Sophia	25 tons
"	Lark	26 tons
Sloop	Marianne	36 tons
Schooner	Experiment	55 tons
Sloop	Enterprise	21 tons
Schooner	Charles and Ann	99 tons
"	Lord Nelson	46 tons
Sloop	Republican	17 tons
Schooner	Mary	51 tons

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[1] William Dickson of Niagara

[2] His half brother, John Askin, Jr, storekeeper for the Indian Department at St Joseph's Island

The Ontario, Niagara Collector, Julia, Fair American, Experiment, Charles and Ann, Lord Nelson, and Mary were purchased by the Navy Department of the United States and armed as ships of war Several others were employed as transports by the British naval authorities

The remarkable success in recruiting the flank companies of the militia with volunteers was promptly acknowledged by General Brock in a public manner.

Circular Government House,
York, 25th May, 1812

Militia General Order

The very satisfactory reports made to the President by the officers commanding corps of the spirit and zeal manifested by the men in volunteering their services for the flank companies has afforded His Honor the most lively gratification and confirmed the opinion which he was always disposed to entertain of their determination to defend bravely their country and in emulation of their veteran fathers evince by deeds the ardent loyalty they have so often professed Conduct so honorable and dignified has not failed making a deep impression on the Provincial Government and to increase if possible their anxious desire to contribute everything in their power towards the comfort and happiness of the people

With this view they have humbly solicited His Royal Highness the Prince Regent for his gracious permission to allot to the wives and children of such soldiers militia and marines who may be killed in the present contest[1] a portion of the waste lands of the Crown and to afford relief to such as may be disabled in the service for whom no provision is otherwise provided

By command of the President,
Æneas Shaw,
Adj Genl Militia
Upper Canada

(Dominion Archives, Militia Papers, M.D 31)

A letter from George Hamilton to Thomas McKee, apparently about the middle of May, gives a striking account of military activity

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[1] War was not actually declared by the United States until June 18

Queenston May — 1812

The Americans are assembling & sending troops as fast as in their power. A company came in yesterday & one the day before & another expected to-day & another to-morrow & so on to the end of the week. I can assure that the river has at present quite a martial appearance. The two forts so close below, the Royal George at anchor between them, the American frigate[1] expected up every day, a large scow & bateau filled with soldiers hauling stone for the garrison at York, huts with soldiers on one side, an encampment at McBride's on the other, another at Miller's & stragglers at Lewiston. Capt Powell[2] & riflemen at the great guns, Crooks[3] & his flankers in the yard here all yesterday, Alexr[4] & his troopers on their way to the 12. McEwen[5] and his flankers there also. Capt Bullock[6] is indefatigable with the flankers on the mountain & with Col Clark has been drilling them every day for this week past. If the Yankees come after all the Devil is in them, especially when my troopers[7] take the field we'll chop off their heads like heads of thistles.

(Toronto Public Library)

A letter from George Hamilton to his father-in-law, contains further details of the active preparations in progress for the defence of the frontier.

FROM GEORGE HAMILTON TO WILLIAM JARVIS

Niagara, 5th June 1812

Dear Sir,

The Royal George is now at the wharf with 250 recruits belonging to the 41st Regiment and the Gloster in sight with 50 more on board which you will agree with me is no contemptible addition to our forces here. Yesterday we had a grand display on the plains. Col Procter with the 41st Regt in the centre, Major Merritt with his light horse on the right and Captain Powell with his company of artillery on the left and to do them no more than justice they fired remarkably well The General[1] appeared highly pleased with them as also the Sheriff's troop The General was pleased to say the other day he wished another troop to be raised in Stamford and from that to Fort Erie and wished me to take the command of it which I had not the slightest objection to, informing me that Merritt was to be Major of the whole As Alexander [Hamilton] who is Captain of the troop here had gone to Long Point and did not make his appearance I took possession of his jacket and accoutrements which luckily suited me exactly and appeared with Merritt as Captain of the troop and was complimented on my appearance and the new dress I had taken care however beforehand to state the case fairly and on waiting on the General afterwards he did not seem displeased but directed me to call on him to-morrow and he would present me with my commission I dined with him afterwards and am now here again only waiting his return from the garrison to be dubbed captain and the intent of this long preamble is to beg of you to assist me in getting my accoutrements

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[1] The Oneida

[2] Captain John Powell, 1st Lincoln Artillery

[3] Captain James Crooks, 1st Lincoln

[4] Captain Alexander Hamilton, 1st Troop, Niagara Light Dragoons

[5] Captain John McEwen, 1st Lincoln

[6] Captain Richard Bullock, 41st Regiment, Adjutant-General of Militia, 1838-1839

[7] He was then enlisting a second Troop for the Niagara Light Dragoons, which was never completed

(Toronto Public Library)

The first act of hostility on Lake Ontario was the capture of the merchant schooner Lord Nelson, owned by William and James Crooks of Grimsby by the United States brig of war, Oneida acting under special instructions from superior authority of which the following official account was given by her commander, Captain Melancthon T Woolsey in a letter to Paul Hamilton Secretary of the Navy

U S Brig Oneida
Sackets Harbour Roads,
June 9th 1812

Sir

I have the honour to inform you that I sailed on the 3rd instant on a cruise to the Westward On the 4th (off Pultney Ville) discovered three sail to windward apparently standing in for Genesee River—gave chase to them but night coming on and the weather being too hazey to run in for the mouth of the river haul'd off shore for the night under short sail At day light on the 5th discovered two schooners (supposed to be two of the three we had chased the day before) standing in for the land At 7 p m we brought to one of the schooners which proved to be the Lord Nelson from Prescot (a port opposite Ogdensburgh on the St Lawrence) said to be bound to Newark in Canada she had no papers on board other than a loose Journal and a bill of lading of a part of her Cargo, but no register license or clearance w[h]ether it was intended to smuggle her Cargo on our shores or w[h]ether she was hovering along our shores to take on board property for the Canada market in violation of the Embargo law I was not able to determine But appearances were such as to warrant a suspicion of her intention to smuggle both ways I accordingly took her crew out and sent her in with my gunner on board as prize master to this port After dispatching her I stood off shore in chase of the other schooner which the master of the Lord Nelson informed me was the Mary Hatt,[1] also a British schooner but finding that she had crossed the line I hove up for this port in order to lay up the prize and make my report to the Department All the proofs which I can collect respecting her voyage I will transmit without delay to the District Attorney

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[1] Brock

In compliance with the recommendation from the President of the United States on April 1 the Congress had passed an act laying a general embargo for sixty days on all vessels then in port or hereafter arriving as a preliminary to a declaration of war The instructions sent to Woolsey soon after were so vague as to enable him to make seizures at discretion

Navy Department, April 8, 1812

Sir,

You will herewith receive a copy of the 'act laying an embargo, &c ' passed the 4th instant You will use all the means in your power to enforce this law

Advise and co-operate with the collector of customs

The proper objects of seizure are all vessels acting or found under such circumstances as may satisfy a strong suspicion of their intention to act in violation of this law

In enforcing this law we are not to violate the territorial jurisdiction of a foreign state

All vessels seized under this law are to be sent into port for adjudication the papers found on board of them are to be placed in the hands of the district attorney, who will thereupon proceed according to law

Paul Hamilton

M T Woolsey Lieut Commanding

Brig Oneida Sackett's Harbor New York [2]

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[1] Named in honour of a daughter of Richard Hatt of Ancaster

[2] Statement of the seizure of the British Schooner, Lord Nelson, by an American Vessel of War on the 5th June, 1812, thirteen days before the late war with the United States, Hamilton Journal and Express Office, 1841, p 12

The Lord Nelson was a new ship built at Niagara in 1811 and very well constructed As soon as her seizure was made known to them one of the owners went to Sackett's Harbour and offered to give security to abide the decision of the court of the United States on the charge of a violation of the embargo but the release of the ship was refused The declaration of war soon after put an end to all intercourse and under an interlocutory decree the Lord Nelson was sold and purchased for the Navy Department of the United States She was converted into a gunboat renamed the Scourge and armed with ten guns The purchase money $2 000 25 was paid into the hands of Theron Rudd clerk of the court to await a final decision of that court as to its disposal On the night of August 9 1813 while carrying all sail to escape from the British squadron the Scourge was struck by heavy squall and overset with the loss of most of her crew of fifty men After the conclusion of peace, a claim was made for compensation for an illegal seizure and in July 1817 a decree of the court was obtained for the payment to the owners of the money held by the clerk but it was discovered that he had appropriated it to his own use and become bankrupt After the death of William Crooks the suit was prosecuted against the government of the United States by Hon James Crooks his brother and after his death by their heirs, and after the death of those heirs by their heirs They valued the schooner at $5 000 and her cargo at $2 943 76 Their claim was kept before Congress for nearly a hunded years its justice was repeatedly admitted and two Presidents urged its payment in messages Finally on the 1st May 1914 judgment was given for the claimant in the sum of $5 000 with interest at four per cent per annum for ninety-two years, making in all nearly $24 000

Returns compiled early in July showed that the flank companies of most of the Lincoln regiments were much over the strength originally authorized On July 3 Captain Samuel Hatt's and Captain James Durand's flank companies of the 5th Lincoln were each reported to consist of three officers two sergeants and seventy two rank and file while Captain Jacob A Ball's battalion company of the same regiment only numbered two officers three sergeants and twenty two rank and file and Captain John D Servos's numbered three officers, three sergeants and twenty five rank and file Nine hundred men from the flank companies of the Lincoln and York militia were ordered to march to the Niagara frontier and arranged in four divisions the first or right division to be stationed at Fort Erie, the second at

Chippawa, the third at Queenston and the fourth at Fort George. The strength of the detachment for the eight division was fixed at three hundred men, and each of the others at two hundred. The first and second divisions were to receive orders through Lieut. Colonel Thomas Clark and the third and fourth through Colonel William Claus. On July 7 the third division was composed of four officers, three sergeants, one drummer and one hundred rank and file of the 41st Regiment commanded by Capt. P. L. Chambers, one sergeant and three troopers of the Niagara Light Dragoons, a captain, a sergeant and twelve rank and file of the Lincoln Artillery, Captain Samuel Hatt's flank company of the 5th Lincoln of three officers, three sergeants and sixty-three rank and file, Captain James Durand's flank company of the 5th Lincoln, of three officers, two sergeants and sixty-six rank and file, Captain John Chisholm's flank company of the 2nd York, of three officers, two sergeants and thirty-four rank and file, and Captain William Applegarth's flank company of the 2nd York of two officers, three sergeants and forty-five rank and file. This body of militia numbering 246 of all ranks, was placed under the command of Captain Hatt.

The detachment forming the fourth division consisted of Captain James Crooks's flank company of the 1st Lincoln, of four officers, three sergeants and sixty-two rank and file, Captain John McEwen's flank company of the 1st Lincoln, of four officers, three sergeants and sixty-seven rank and file, Captain Lyon's rifle company of three officers, two sergeants and twenty-four rank and file, Captain Abraham Nelles's flank company of the 4th Lincoln, of three officers, three sergeants and seventy-seven rank and file, and Captain William Crooks's company of the 4th Lincoln of four officers, three sergeants and seventy-two rank and file. Making a force of 334 of all ranks, it was commanded by Lieut.-Colonel Johnson Butler[1] of the 4th Lincoln.

The roll book of Captain John D. Servos's company of militia contains a list of persons excused or incapacitated from military service which is not without some local interest.

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[1] He died on service, 1st September, 1812, and was buried in the family burial plot.

Roll of males in the limits of Captain John D. Servos's company 1st Regt. (Lincoln Militia), September 7, 1812.

Age		Infirm	Remarks
67	Peter Ball		Half pay officer
56	Thomas Butler[1]		do do
60	Bernard Frey[2]		do do.
62	John Clement[3]		do do
46	Benjamin Pickard		Miller
55	Frederick Manual		Militia officer, resigned
26	Charles Rolls[4]		Militia officer, in England
76	Joseph Anderson		
58	Joshua Ferris		
57	John Curtin	Infirm	
51	George Husen		
21	John Husen	Infirm	
62	John Bone Sen	do.	
40	John Bone		In the pillory
62	Ezekiel Cudney		
57	George Lawrence[5]		Capt militia resigned
52	Robert Donaldson	Infirm	
48	James Clement[6]		Militia officer, resigned
22	John Thompson	Infirm	
61	Robert Thompson	do.	
63	Amos McKinney		
55	Marlow Riley	Infirm	
53	Jesse Loder	do.	
50	John Ball		Magistrate
64	John Stiver		
69	Castle Corus[7]		
60	Michael Bellinger		
54	Samuel Parks		Armourer
56	Garret Slingerland	Infirm	
54	John Secord	Deaf	
71	Johnathan Lawrence		
60	John Hays	Infirm	
58	John Wolman	do	
46	Josiah Corbin	do.	

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[1] Died December, 1812.

[2] Killed in action 21 November, 1812.

[3] Died 1845, aged 87.

[4] Died 1867, aged 82.

[5] Died 1848, aged 91.

[6] Died March, 1813, aged 49.

[7] Died 1835, aged 96.

The termination of the armistice by the government of the United States was announced by General Brock in a forceful district general order

Fort George Sept 8th, 1812

D G O

Major General Brock was disposed to view the armistice as the forerunner of a restoration of peace and amity with the United States The pretexts on which their declaration of war was chiefly founded having been removed by the British Government and an opening offered by it to an adjustment of all difficulties of minor importance between the two countries But in vain has Great Britain thus held out the hand of conciliation It has been rejected The President of the United States having thought fit to direct their troops to resort again to active warfare and what motive can exist for his authorizing a renewal of hostilities at the same time too (as is confidently asserted) that he has sent an ambassador to England to treat for peace

Is it to facilitate its attainment that he by his own voluntary act places the two countries in a situation to inflict mutually the horrors of war thereby to have their minds the more embittered toward each other? Perhaps indeed he may imagine that by conquest on the side of Canada he can idemnify the United States for the loss to which they were exposed on the Atlantic side from the superiority of the naval power of Great Britain and that with a portion of her provinces in their possession more favorable terms would be obtained in a negotiation for peace but the militia of this province have too just and manly a sense of what they owe to their own personal dignity and independence to be disposed of at the will of the chief magistrate of any foreign country They will not sink to the degradation of unresistingly becoming a make weight to be thrown by his hand into the scale—such baseness belongs not to them They have already offered to the world an instance of what can be effected by the aid of their loyalty and valour and Major General Brock relies with confidence on the continued exertion of these enobling qualities for defeating any design on this province and for contributing no less honorably for themselves than usefully to their families to their King, and their country towards bringing the contest in which the implacable enmity of the American Government has engaged us to a favorable issue By order,

Thos Evans

B M

D G O

Major Genl Brock commanding will inspect the barracks occupied by the militia in this garrison in the course of to-morrow.

By order,

Thos Evans,

B M.

(Dominion Archives, Militia Papers, 1812)

The reluctance of many of the recent immigrants to perform military duty is shown by the following letter from the commanding officer of the second regiment of Lincoln militia.

FROM LIEUT COLONEL THOMAS CLARK TO CAPTAIN CHARLES ASKIN

Chippawa, September 24th 1812

Sir,

I wrote you on the 8th of this month that 40 of the men attached to your company had not attended at this place to be inspected & take the oath of allegiance as directed in the last militia act Some of these however have since attended at this place and taken the oath. Those of the inclosed list I have neither seen nor heard of You will therefore see that they and each of them immediately take & subscribe before some magistrate the oath of allegiance as directed in the last militia act and according to the militia General Order to that effect & so soon as possible afterwards report to me accordingly and be particular if any there be who may refuse to take the oath

I am Sir

your very obedt servt

Thomas Clark Lt -Col

2nd Lincoln Militia

To Capt Charles Askin
or officer commanding
company of militia at
Canberry & Lower Haldimand

(Dominion Archives, Askin Papers, 1812)

An unpublished letter from Sir George Prevost to General Brock demonstrates his earnest desire to avoid further hostilities by refraining carefully from all offensive operations

Head Quarters Montreal.
30th September 1812

Sir,

I have been honored with your letter of the 18th inst Having received information that the revocation of the Orders in Council the conciliatory disposition shown by His Majesty's Government towards the United States, and the knowledge of the pacific advances made have produced throughout America the best effects upon the public opinion so as to render the war extremely unpopular. I should consider it extremely unfortunate if any temptation or provocation should induce you to abandon those defensive operations suited to the present state of the contest and which it has become both prudent and politic to persevere in observing

I can derive no satisfaction from any result that may attend Captain Muir's movement against Fort Wayne, however favorable to our arms as it does not accord with my instructions to you founded upon those I have received from the King's Ministers and is moreover not calculated upon the present military resources of this command

I supposed an extreme case when I desired a co-operation from the forces in Upper Canada such as the evacuation of Montreal and the King's troops falling back upon Quebec before an overwhelming force It is in that event a combination of movement upon Lower Canada with your disposable force may have the effect I then mentioned

A very unpleasant report has reached my ear of want of decision and energy in the conduct of Major Heathcote commanding the Newfoundland Fencibles upon a late occasion when the detachment under his orders was attacked near Prescott It may be proper to institute an inquiry into the circumstances of that affair and if misconduct is established to mark it with reprobation You will therefore give the necessary orders thereon to Colonel Vincent

I shall not fail in communicating to Sir John Warren (our appointed negotiator with the United States), the sentiments you entertain respecting the Indians but I cannot disguise from you that it is my opinion that the present policy of Great Britain being earnestly to get rid of the difficulties occasioned by the war with America little disposition will be manifested to espouse with warmth the cause of our Indian allies I may be mistaken but Sir John must be requested to transmit to the Secretary of State the memorial sent him which had been presented to me by the Montreal merchants You must therefore avoid committing our Government either by promise or treaty but on the contrary restrain and control their measures so as to prevent that irritation in the United States which may render their very name an insurmountable obstacle to future arrangements in their behalf

I have complied with your request with regard to the advance of £5 000 to the Receiver General of Upper Canada for the civil expenditure of that province and as I understand from Lieutenant Colonel Nichol that he is to be furnished with a letter of credit from the Receiver General to enable him to make the purchases of the necessaries you want[1] I have directed the Commissary General to advance to Lieutenant Colonel Nichol to the amount of £5 000 should he require it on the account of the Receiver General should he require less than that amount the balance will be transmitted by him in army bills to the Receiver General, Colonel Vincent having also signified to me the necessity of furnishing Mr Ross the Commissary at Kingston with £4 000 for the subsistence of the militia and paying the fresh beef contractors for Kingston, Leeds and Cornwall, and other expenses of those districts I have directed that amount in army bills to be sent to him and Lieut Colonel Nichol will take charge of them The Receiver General will of course forward to the Commissary General his receipt for the £5 000 including as a part thereof whatever amount Lieutenant Colonel Nichol shall have received on his account

(Dominion Archives C 1218 pp 443-445)

A short letter from Colonel Claus evidently written in much haste, unaddressed and misdated giving an inaccurate account of the capture of two British ships at anchor near Fort Erie has been preserved

Fort George, 8th Oct 1812.

Dr Sir,

On the 14th Ultmo Col Elliott with Captain McKee & about 600 Indians left Amherstburg on an Expedition against Fort Wayne on the head of one of the branches of the Miami & was to be followed by Captain Muir with about 300 of the 41st Regt and Militia The enclosed copy of Col Elliot s letter to me of the 3rd Instant which I send this day will shew you the failure of the expedition

On the night of the 9 Inst a number of boats from Buffalo Creek made a circuit in the Lake & drop[p]ed down to Fort Erie & cut adrift the brig Detroit & sc[h]ooner

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[1] Blankets, clothing and camp equipage for the militia on duty

Caledonia, N W vessel—the former drifted on the point of an Island opposite to some of our batteries—the other on the Black Rock where she sunk as low as the water would allow being shot in the hull from our side The Detroit altho' several fruitless attempts by us to be got off was set on fire by the Americans & blew up Lieut Roullette a brave young man who commanded the Detroit after loosing both hands was killed I have not been able to learn the true account it must have been a bloody time

(Claus Papers copy by Miss Catherine Claus)

Late in the afternoon of October 13 General Van Rensselaer sent over a flag of truce to make enquiries about wounded officers and soldiers and this was followed by a written message proposing to send over surgeons to attend them and proposing an armistice for three days General Sheaffe suggested in reply that all wounded prisoners should be removed across the river on condition of their not serving again until properly exchanged and agreed to a cessation of firing for three days In a second letter written next day he proposed a partial exchange of prisoners and that the militia captured at Queenston excluding those who might be exchauged 'shall be restored to their homes and families under an engagement not to serve against Great Britain or her allies during the war or until regularly exchanged "

Van Rensselaer readily assented to this proposal and sent an officer to make suitable arrangements which were completed on October 15 Next day General Sheaffe proposed an extension of the armistice until the exchange of prisoners could be completed and General Brock buried His opponent cordially agreed to extend the armistice to October 19 and announced that he had given orders for firing salutes for Brock's funeral at Lewiston and Fort Niagara that afternoon This correspondence had been conducted on both sides with much politeness On the same day Van Rensselaer turned over the command of his troops to General Alexander Smyth of the United States army who adopted a different tone in the interchauge of letters

FROM BRIG GEN SMYTH TO MAJOR GEN SHEAFFE

Head Quarters Lewiston 17th Oct , 1812

Sir

A letter addressed by you to Major Gen V Rensselaer has been put into my hands wherein you propose to exchange a Lieut of militia and a private for an Indian savage taken a prisoner by our troops

I regret receiving from you a proposition to which I cannot accede.

(Dominion Archives, C 688 B, p. 135.)

General Sheaffe lost no time in replying at considerable length.

FROM MAJOR-GENERAL SHEAFFE TO BRIG.-GENERAL SMYTH (Draft)

Fort George, 17th Oct., 1812.

Sir,

I have the honor of acknowledging the receipt of your note of this date and regret that I have made a proposition to you that you find it necessary to reject, especially as it was made at the particular request of B. General Wadsworth. As that has failed I presume that the prior agreement respecting the Indian in question which was entered into by Colonel Winder still retains its force, and that the Indian will be sent back to-morrow. Not yet having heard of the return of the prisoners who were to have been sent over from Buffalo or Black Rock early this morning according to the assurance given by Col. Winder and for whom prisoners have already been sent as an exchange I request if they have been intentionally detained that you will be pleased to inform me of the cause.

Mr. Hamilton who has been some time detained at Buffalo has brothers and other near relations in this vicinity who have heard some accounts of the state of his health by which they are much alarmed. I therefore permit one of his brothers to go over with a flag to Buffalo to obtain some information of him and I beg leave to propose that Mr. Hamilton shall be allowed to join his friends an officer of a rank that may be deemed equivalent being released from his parole in exchange for him.

(Dominion Archives, C. 688 B, 133-4.)

Brig. General Wadsworth, who was still a prisoner of war, then applied for the liberation, on their paroles, of two officers of the regular army of the United States, who had not been included in the original agreement, which related only to officers of the militia, and Sheaffe readily assented.

FROM BRIG GENERAL WADSWORTH TO MAJOR-GENERAL SHEAFFE

Newark, Oct 17, 1812

Sir,

Major J R Mullany and Capt Peter Ogilvie, Jun , have familys and are not in the most pleasant condition to leave

I shall receive it as a great favor if you will permit them to return on parole

(Dominion Archives, C. 688 B p 136)

The draft of a second letter from Sheaffe to Smyth has been preserved, which may refer to this proposal

17th Oct [1812]

I have the honor of forwarding a note addressed to you which B G W [adsworth] has delivered to me I avail myself of the opportunity to request that I may be informed at what time I may expect the prisoners in your power at Lewiston and Buffalo to be sent over and if anything yet remains to be done on my part to accelerate the execution of the agreement for their exchange

(Dominion Archives C. 688 A p 192)

Smyth's reply to these letters was framed in a decidedly aggressive spirit

FROM BRIGADIER GENERAL SMYTH TO MAJOR GENERAL SHEAFFE

Head Quarters of the Army of the Centre,
Camp near Lewiston 18 Oct 1812

Sir,

Your letter dated yesterday I have this moment had the honor to receive

In the agreement respecting the exchange of prisoners signed by Colonel Winder & Major Evans there is nothing said of the Indian Chief But any verbal agreement entered into by Colonel Winder will be fulfilled

Colo Winder address'd a note to Genl V Rensselaer stating that you estimated the Indian chief as equal to a militia major and requesting instructions

I propose to exchange the indian chief for the 24 men, 7 women, 6 children taken at Chicago or such of them as were not butchered

The prisoners at Buffalo have not been intentionally detained The transfer of command has prevented the order being given for their release It shall be immediately given

The conduct of Mr Hamilton, particularly in attempting to cross to Canada by night and alone would perhaps justify us in treating him as a spy But willing to proceed in a liberal manner I accept your proposition for his Exchange. The delicacy of his situation and the importance of his connexion will justify me in estimating him equal to a captain of regular troops.

For the master-commandant of the Detroit alias Adams, I expect a captain of regulars in exchange I think he ranks so by your regulations For Mr Carr[1] Lt of Marines & Mr Molloy you will please to release Lieutenants Totten & Randolph

I am very sorry that at the moment I am writing this despatch a british prisoner is found exploring the camp, having left his quarters about a mile distant I have placed him in close confinement

As I am averse to taking a single life or occasioning a single calamity without an object, I propose a further continuance of the Armistice indefinitely each party having a right to terminate it giving thirty hours notice to the other party the armistice to extend along the frontier from the Lake Erie to Lake Ontario

(Dominion Archives, C. 688 B. pp. 141-143)

A draft of Sheaffe's reply contains several interlineations and erasures but was sedulously conciliatory

Fort George, 18th October, 1812.

Sir,

I have the honor of acknowledging the receipt of your communication by Captain King, Assistant Inspector General

That there was nothing said of the Indian Chief in the agreement for an exchange of prisoners signed by Colonel Winder and Major Evans was owing to a supposition on the part of the latter that the case was already provided for by a special agreement between Colonel Winder and myself, that an Indian was taken prisoner having been mentioned in conversation before those two officers began the discussion of the subject on which they were to treat (and I was so strongly impressed with the idea that the exchange was finally settled that I gave an assurance to his friends that he was to be restored)* With regard to your proposition to exchange the Indian Chief for the men women, and children, or such of them as (were not butchered)** may survive, I infinitely regret, Sir, that it is not in my power to restore them all without conditions In (the transactions to which you allude)** operations against that place, neither the British Govt nor the influence of its officers nor a British force was concerned, or probably your present proposition would be needless I must therefore disclaim (any)* stipulations regarding them but whatever may be in my power towards obtaining the restoration of the survivors to their friends I shall most joyfully do unconnected with the present subject of discussion

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[1] Ensign Thomas Kerr, Royal Newfoundland Regiment, mortally wounded at Frenchtown, River Raisin, 22 January, 1813

(I cannot admit it as a principle though Mr Hamilton's conduct during his detention may not have been in some respects justifiable yet I conceive that having been provided with a passport his attempt)** There are (particular)* circumstances perhaps in Mr Hamilton's case that (make me desirous of avoiding discussion)** I am not qualified to discuss and as I am anxious for his returning into the bosom of a family that has suff[ere]d so much on his account I am willing to grant more than perhaps ought to be deemed an equivalent for him

The late commander of the Detroit belonging to the provincial marine ranks with us only as a Lieut of the regular troops Mr Molloy's rank is inferior to that of a Lieut but Sir, I am desirous that the opening of a correspondence between us should be marked by a spirit of liberality, conformably with which I propose that for

Mr Hamilton
Comm'r Rolette,
Lt Kerr,

Mr Molloy and the Indian chief should be returned to you two captains of regular troops the two Lieuts you have named and Lt Smith who took the Indian chief and the Mr Smith already offered with him or a major of militia as originally proposed or if you have any substitute to name I beg that you will make it known to me

As my sentiments perfectly accord with those you express in the opening of your proposal for continuing the

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(*) Omitted, (**) Inserted

armistice, I assent to its being prolonged indefinitely, each party having a right to terminate it giving 30 hours previous notice

I am extremely sorry to hear that a british prisoner has been so indisceet as to render himself liable to punishment I hope that he has erred from ignorance and that an enquiry into the case will satisfy you that it was so

(Dominion Archives C 688 B, pp 137-140)

This letter had an immediate mollifying effect and Smyth replied next day

Head Quarters, Camp near Lewiston, Oct 19th, 1812

Sir,

I have received your letter of yesterday and close with all your propositions

You will be pleased to give liberty to Capt Gibson Capt Machesney, Lieutenant Totten, Lieutenant Randolph, Lieut Smith and Mr Smith

The prisoners at this place you will receive to-day & orders have gone by express for the release of those at Buffalo

(Dominion Archives, C. 688 B, p 144)

General Sheaffe amended his official account of the battle at Queenston[1] by a short memorandum addressed to the military secretary of Sir George Prevost

Fort George, 18th Octr 1812

Memorandum

In my despatch of the 13th inst I omitted mentioning my A D C Ensign Coffin I discovered the omission in reading it and I fear that I did not rectify the error It should have been thus "I found the services of Lieut Fowler, 41st Regt &c, &c &c, and of my A D C Ensign Coffin[2] very useful" I beg that the correction may be admitted into the despatch

(Dominion Archives, C 677, p 140)

On the day after the battle of Queenston Heights Charles Askin described the action as well as he could from the information he had then received in a letter to his father

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[1] See Documentary History of the Campaign on the Niagara Frontier in 1812, Part II pp 71 and 73 and Wood, Select British Documents of the Canadian War of 1812, I, pp. 605 608

[2] Afterwards Colonel Nathaniel Coffin, Adjutant-General of Militia for Upper Canada, 1815-1837, Sheaffe's brother-in-law

FROM CHARLES ASKIN TO JOHN ASKIN

Niagara, Wednesday, Octr 14th, 1812.

Dear Father,

Yesterday I am happy to say a great victory was gained by us over the Americans at Queenston but it is a dear bought victory for our ever to be lamented General was killed The action commenced about one hour before daylight and continued till three or four o'clock in the afternoon Early in the day the General received a wound and I believe never spoke a word after When the Americans first came over there were only two companies of the 49th Regt and two or three companies of militia to oppose them In one of the companies of the 49th Wm Robertson went with Mr Robt Grant as volunteers and distinguished himself very much The Americans opened a battery on us and we threw over shells and cannonaded them as much as we could but not to much effect for they continued coming over The militia and 49th being engaged so much were soon much reduced by their killed and wounded When information was given to the General that the Americans were getting on the mountain, he immediately ordered Col McDonnell to collect what men he counld find [and] oppose them for at this time the 49th and militia were in different parties About 40 men were collected They ran up the mountain and found about two or three hundred of the American regulars there well formed Wm R[obertson] who was at the head of the 40 men ran forward and hollowed out to the Americans "Now we will be at you!" But the Americans immediately fired at them and obliged our men to retire down the hill We had a battery half way up the mountain which was but weakly guarded The General was there and was obliged to leave it and the Americans took possession of it It was soon after this that the General got the wound which killed him The Americans had possession of part of Queenston for some time and kept it as well as the battery and were busy bringing over their men as fast as they could, till reinforcements from this place and Chippawa of the 41st, militia, and Indians, formed as I understand on the mountain, and attacked them so vigorously that they ran down the mountain as fast as they could and made for the river to get over and some attempted to swim When the American General on the other side seeing what a perilous situation they were in, sent over a flag of truce and they all surrendered prisoners of war They were all marched down to this place and got here about sundown They came over to breakfast on this side but I believe it was a day of fasting with them There are about six hundred men taken and nearly fifty officers One company of riflemen had made their way into the woods & remained there all night We heard this morning that the Indians were after them and a party of the 41st & militia are sent this morn[in]g to protect them, what I must say they hardly deserve Had they not surrendered yesterday they would have all been driven into the river for they fled before our men the grenadiers of the 41st who were anxious to retrieve their character, were very anxious to charge them but they ran before them so fast that they never could get up to them and went down what you might almost call precipices to get out of the way of our men What number of our men were lost I cannot say but there are few considering the time they were engaged I think we have lost about sixty men and only one officer which was poor General Brock Col McDonnell is dangerously wounded and several officers of the 49th are wounded but not badly The Americans I think must have lost more than a hundred and I am told several of their officers were killed at least six or seven Among those taken is General Wadsworth, Cols Allen, Van Ranselaer & Scott and some other Col

When the Americans were first coming over about 80 who were in a scow were so galled by the fire from a few of the 49th Regt that they begged for quarter and were taken prisoners I saw a great many of the prisoners one half of whom are militia, these were anxious to know and were in hopes of being allowed to go home as the militia taken at Detroit [were], but when they were told they would have to go to Quebec they were not very well pleased Had they had an idea of it there are not many of them would have put their foot on this shore I regret much that I could not share in the honor of the victory After my arrival at Queenston I was confined to bed with boils and was two days that I could not get up to my meals nor could I hardly sit up in bed for the worst of the boils and the last broke the day before they came over I was laying at George Hamilton's when we were first attacked and went from that to Robert's as well as I could there I remained about an hour but finding the Americans were gaining ground I thought that as I could not run that I should get out of their way if I could & went to a village about 2½ miles back[1] and from that I came down here to get arms for some men that were there

I have not time to write more & paper is so scarce that I can hardly get a sheet This I had to beg

The two flank companies of the Newfoundland Fencibles are on their way to Amherstburg I think there are nearly two hundred of them

(Dominion Archives, Askin Papers, 1812)

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[1] St. Davids.

On the day of General Brock's funeral Charles Askin wrote a short letter to his father

Niagara 16th Octr 1812
Friday 3 o'Clock P.M

Dear Father

I wrote you two days ago giving you an account of an action which was fought at Queenston on Tuesday last, in which engagement we were Victorious, but when I wrote you I did not know the great advantage we had gained over the Enemy we have took on that day nearly eight hundred prisoners sixty five of whom are officers and we killed and drowned I think about two hundred more we took one of their standards also and a six pounder it would have been a great Victory had we not lost our Gallant General Brock, who was killed when animating the 49th Regt and desiring them to charge the Enemy who had just then taken our Battery on the Mountain soon after the General was killed his Aid de Camp Col McDonnell received a wound of which he died two days after he was a very promising young man—both him and the poor General were just now interred the procession was grand. The Indians formed a part of it—

We have had a Cessation of Hostilities for three days by Agreement, it terminates in about an hour—but I hardly think we will be attacked for some days, though they have a very large force on the other side I am told that many of those who came over were drove into the boats at the Point of the Bayonet I think that their comrades will be more unwilling to come over now

My love to my Dear Mother Brothers & Sisters if you please

(Askin Papers, Burton Historical Library Detroit)

"Poetical Account of the American Campaigns of 1812 and 1813," printed at Halifax in 1815 by John Howe, Junior,[1] has become a very rare book Its dedication to "the People of Canada" is subscribed "An Acadian" It contains the following versified account of the battle at Queenston

"But soon the veteran band these wilds forsake
And speed their way down bright Erie's lake,
For there, another army brav'd the shore
That in conjunction, might have mov'd before
But these rare Generals every one are free,
Go where they like not where they ought to be

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[1] Probably a brother of Hon. Joseph Howe.

Over Niagara's flood this chose to go,
Where he expected but a slender foe;
Two moons had fill'd their horns while slow he paus'd,
Canadia's infant shot some terror caus'd,
They were deceiv'd, thinking her baby frame
Would fall with fear—e'en at a Yankee's name,
But finding more mature, her nerves and strength,
Cautious he stood—then on advanced at length
To where the narrows, trace the opposing shore,
And they could see that nothing stood before;
Brock was not there—they were in perfect plight
To land and take the little town that night,
Their chief Van Rennsselear—a rugged name,
In story large, and lengthy as his fame;
Why fam'd I hear you say? ay! why indeed,
Except, for merit to obtain the meed
Long ere so beautiful a wreath was due—
Or else as wreaths are scarce, to steal a few
Be as it may—he cross'd at dead of night
When the young moon show'd half her borrow'd light
Before they left the shore a deep blood red,
Glow'd o'er her face with streaks of darkness spread;
Thus pensively she cast a feeble light,
O'er a long field with falchions gleaming bright;
There the invaders stood and heard around
On every side the cataract's mighty sound
They paus'd and listen'd not from any fear,
'Twas but the cataract—not drums they hear;
And on the General led his phalanx strong
Like midnight murder, mov'd he slow along.

But as they gain'd the border of the flood,
Somewhat refractory his army stood,
All would not cross entreaties threats were vain,
Down on the rocks they sit—and there remain
To learn what fortune those advancing found
And go if victory their efforts crown'd.
Another evil ek'd out their delay,
Fifteen longboats, with oars, had gone astray;
But this they remedy then ply the oar,
And reach Canadia's silent, sleeping shore

The watchful sentinel the town alarms;
Quick the responsive drummer beat to arms
Canadia's General—like a ray of light,
A splendid meteor on the brown of night,
Advanc'd along 'ere day began to dawn,
Or from his lair had sprung the sleeping fawn

Surpris'd, the foe beheld him lead his band
And on the margin of the river stand
No power was left to fly—for, on the shore,
One half were landing—and the rest were o'er,
Near where the whirlpool agitates the flood
Frowning with scorn the British heroes stood,
And on the foes advance their vollies pour,
Tracking with blood the till then hallow'd shore;
Yet on the invaders came tho' Brock withstood,
Their force with bayonets deep dy'd in blood,
The treble number'd foe push'd on with zeal
And made Brock's bright and glittering rampart reel,
And now conceive—while carnage mark'd the strand,
And drench'd with blood Canadia's hallow'd land;
Conceive a patriot breast with ardor fir'd
His firm strong nerves with energy inspir'd,
A Briton panting for his country's fame
Anxious to strengthen her renowned name
Yet here in bondage held, in galling chains,
A mere spectator of the scene remains,
Where hated enemies with pride rejoice
And rage must smother the resentful voice

How in the conflict did his heart rebound
How tremble at the shouts that rang around,
'Till victory to her son the laurel bore,
To Brock the hero of Niagara's shore,
Who made the fury of the battle's bray
Out-roar the cataract's resistless way,
A pause ensued. the voice of war was still,
The victor's tramp was silent on the hill,
When slow and solemn came the heavy sound
That Brock was struggling with a mortal wound
The field he kept—'till all his foes had fled,
Then smiling death's cold mantle round him spread
The ground that just before wept blood for tears,
Now wet with sorrow's drops forlorn appears,
The Indians laid their warlike belts aside
Their strings of wampum—and their martial pride
Near the pale corse these varied trophies lay
To tell their strength and pride had pass'd away
Silent they stood and gaz'd upon the bier,
But heav'd no sigh, nor dropp'd one friendly tear
Renowned Chief—joy rest with thy remains
Virtue's bright current fill'd thy manly veins

Where could more glory dignify his name
Engrave him deeper on the lists of fame,

He fell repelling the invaders' might
Restoring to the land his ravish'd right,
In honor's cause his noble spirit fled
And her escutcheon glitters o'er his head

Say gallant shade as thy last blood distill'd
In sacred drops and yon rough bason fill'd,
Say could thy pillow be more grand and dread?
Or more sublime thy winding sheet be spread?
Than there, where nature all her power combines,
To grace a canopy where fame reclines,
Niagara's shore whose far resounding flood
Tinges its foam with thy respected blood,
Whose hurried cataract and wave sublime,
Laughs at the figure of diminish'd time
Where Iris weeps—and spreads her polished bow
Bedew'd with tears that to thy memory flow

Brock's mausoleum distant worlds shall tell
And paint Niagara where the hero fell
Time spurning flood—when nations are no more
Thou will relate the tragic story o'er,
And show that grave beside his on the hill
Where brave Macdonald holds his station still
For as in life—in fortune's hours they sped
So side by side are laid the heroes dead"

"October 1812" Pp 23-27

A memorial from Major James Dennis, prepared by him at the end of the war contains considerable information respecting the battle of Queenston and other operations in which he was engaged not to be found elsewhere

His Honour Lieutenant General Sir Gordon Drummond Knight Commander of the Most Honorable Military Order of the Bath President Administering the Government of Upper Canada, &c, &c, &c

The Memorial of Brevet Major James Dennis 49th Regiment Major of Brigade to the Forces Quebec

20th March 1815

SHEWETH

That your Memorialist conceiving that a statement of his services in the Canadas & more particularly in Upper Canada might be deemed deserving Your Honors consideration as well as that of the Honourable the Council of that Province, Humbly intreats your benevolent interest in his prayer and your recommendation that he may Obtain a grant of Land as a gratuity for the same—

Your Memorialist humbly states that he has served nearly Thirteen Years in both Canadas, between four and five years of which period he served in the upper Province, and nearly Two years and Six Months of the latter period, in a scene of Active and harassing Warfare and at a crisis of the late War, very important to the interests of that Country particularly when its very salvation was menaced by the attempts of the Enemy (which under the Direction of Divine Providence were defeated) on the 13th October 1812

That your Memorialist had the honor to Command the Post of Queenston for some weeks before, at the actual period when and for some time after it was attacked by General Van Rancelar and the Americans, numerically triple in force by the firmness, Zeal, and intrepidity of a few Royal and Militia Artillery, the Flankers of the 49th Regiment aided by the Gallantry and Devotion of Captains Hatts, Chisholms, & Durands Companies of Militia, who rivalled the regulars in good conduct, had the good fortune to maintain his position in spite of every effort essayed by an overwhelming force of the Enemy and previous to the arrival of the ever to be regretted Major General Sir Isaac Brock who (on the ground) was pleased to applaud Memorialists arrangement for the Defence and the conduct of the Troops in repelling the attack and Maintaining the Post of Queenston to a few moments before his lamented fate. Major General Sir Isaack Brock was unaccompanied on his first arrival having dispatched his Aide de Camps to Hurry on the reinforcements which could be spared from Fort George, and who afterwards (combined with those remaining of Mem'lists Command) for Mem'list again succeeded to it after our beloved general fell) and also by the intrepid conduct of the increased Number of Militia with the Indians Achieved in the after part of the day a glorious Victory, the firm foundation for which was laid by the panic struck in the Enemy by nearly four hours constant and severe fighting against their superior Numbers from a quarter before four oClock on that memorable morning when the Troops under your Memorialists command distroyed between 300 and 400 of the Enemy, took and sunk five large Batteaux and a large scow (called the Wasp of Oswego) and also took 97 Prisoners all before an Individual arrived to their Assistance, and Memorialist presumes to be thus minute in detailing the Services of the Troops under his Command on that day that he may do them the Justice they deserve and that recapitulating their Efforts under your

Memorialists direction may be considered as an Humble plea for attention to the Object of his prayer[1]

Memorialist had also the honor of being in the Actions of Newark on the 27th of May and in that of Stoney Creek the 6th June following (1813) in each of which he had a horse shot under him, and Memorialist further had the honor of serving in several skirmishes with the Enemy while holding a command at the Cross roads on the position circumscribing the enemy when in possession of Fort George particularly one Sunday when field officer on duty, he rallied the troops and indians retiring from the position of the advanced picquet which a superior force of the American Indians and rifle men had obtained the possession of and with charged bayonets routed the enemy and reoccupied an Advanced position Memorialist had also the good fortune to repell a Second attack in the Ev'g of the same day which the enemy made on our Piequets (with about 600 Indians & rifle men) for the purpose of inforcing a reconnaissance of our position at the Cross roads Memorialist had the honor to receive Major General Stewart's (then Col Stewart of the 1st Royals) thanks in the presence of Major General De Rottenburgh Major General Vincent and Lt Colonel Harvey Dy Adjutant General for the performance of his duty on that Sunday, (Col Stewart then Com'g the Post) Your Memorialist, during his services in the Country has commanded at the following Posts at St Johns & Dependencies (lower Canada) York for a short period during the absence of Lt Col Sheaffe Fort Erie 15 months (during peace) Fort George Queenston, Chippawa, St Davids 20 Mile Creek the latter Command the advance of the Centre Division by order of Major General Vincent, at the recommendation of Lt Col Harvey Dy Adjt General

Memorialist also commanded a corps of observation at Cornwall the Stores at which Post with 12 Batteaux laden with provisions & Stores for Kingston he was fortunate in withdrawing from the plunder of the force under the Command of the American Genl Wilkinson when he descended the St Lawrence in Novr 1813 Memorialist with an Unorganized ill found though high spirited and gallant Militia about 300 in Number took up a position (having distroyed the Bridge) near Hooples Creek in advance of Cornwall and engaged & for an hour and a half kept in check

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[1] A sketch of the battle of Queenston, made by Major Dennis was reproduced in Volume VI of the "Papers and Records" of the Ontario Historical Society, p 76 redrawn it is stated from a vignette on a small map of Upper Canada published by O G Steele, No 206 Main Street Buffalo, N Y, in 1820

(the day before the Battle of Chryslers) the advance Column General Wilkinsons Force thereby (as he has since been informed by American Officers & which a reference to Genl Wilkinsons dispatch will Confirm) preventing General Wilkinson from send g assistance from his centre Column where he was himself—to reinforce the troops engaged next day with our Army at Chryslers as he was uncertain at which Point assistance Might be More Necessary—Memorialist although having but one Sergt and Private of his Own Regt and whom he was obliged to give up to the security of the Ammunition continued to Shew a fire from the different parts of the bush along the creek and created temporary respect from the enemy by a fallacious display of force that it induced slowness in his advance altho Amounting (at that Creek) to 1500 Inf'y & 200 dragoons with 3 Field Pieces which placing in position they attempted to dislodge us whenever fire was given and which after discovering the finesse they in course, succeeded in, it becoming an unwarrantable temerity to continue a contest on such unequal terms and which could only terminate with capture and slaughter of the peasantry of the Country, without Effecting any profitable end a Night march of this same body of Militia in a few days after (Combined with the approach of our troops after the Victory won at Chryslers) induced the precipitate departure of the whole American Force from Our territory.

Memorialist trusts the faithful display of his services will not induce the reflection that he is wanting in that modesty so commendable in the Military character that it is a fair effort to strengthen the picture for the sole faultless purpose of gaining attention towards his prayer, and memorialist trusts it will not diminish his claim to express that the gentlemen and peasantry on the Niagara Frontier as well as those of Glengary & Dundas, will bear sufficient testimony to the veracity of the particular services herein stated.

Memorialist humbly adds that during his services in upper Canada he was twice wounded once at Queenston, and again at Stoney Creek, and never was an hour absent from his duties while serving for nearly 13 years in the Canadas

This statement taken into your honours gracious consideration and obtaining your recommendation for the grant of land solicited being bestowed will impress with strong feelings of gratitude Your Memorralist & devoted, Obedient

& faithful

Humble Servant

J Dennis[1] B Major 49th Regt

Brigade Major to the Forces.

(Sundries Upper Canada, 1815)

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[1] Afterwards Major General Sir James Dennis, K C B

Expectations of an immediate renewal of hostilities caused an urgent call for reinforcements to the militia on active duty This was embodied in a letter from Lieutenant-Colonel Thomas Clark to Charles Askin

Sir, Chippawa Octr 23d, 1812

The company of militia at Canberry & lower Haldimand of which you are captain being attached to the 2nd Lincoln Regiment under my command, I have now to order that you immediately march down here every man under your command as quick as possible On their arrival here they will receive arms and ammunition

(Dominion Archives Askin Papers)

A letter from General Sheaffe to the Military Secretary shows that the exchange of officers was productive of some information of considerable importance

Sir Fort George 25th Octr, 1812

I transmit herewith some intelligence recently obtained That from Lieutenant Rolette is interesting as it relates to the designs of the enemy on our vessels on the lakes and the means for executing them L Colonel Myers sends to Colonel MacDonnell Lieutenant Rolette's report of the capture of the Detroit and other information relative to the Marine Department

(Dominion Archives, C 677 p 143)

As soon as the death of General Brock became known at York the resident members of the Executive Council were hastily assembled and the clerk was instructed to inform General Sheaffe that in succeeding him in the military command he had also become administrator of the civil affairs of the province This was done in a letter from Mr John Small in the following terms

"As soon as intelligence was received of the death of the late President, General Brock the Executive Council assembled on the summons of the Chief Justice and I am directed to transmit to you, Sir as succeeding to the command of His Majesty's Forces in this Province the enclosed copy of the additional royal instructions of 13th July 1811, and to apprise you that the civil government must remain unprovided until you are sworn a member of the Executive Council"

(Dominion Archives C. 688 B, p 129)

The opportune extension of the armistice enabled Sheaffe to comply with very little delay. He announced this fact in a letter to Sir George Prevost, dated at Fort George on October 19.

"After writing my despatch of yesterday I received a proposition from Brigadier Gen'l Smyth, commanding on the United States frontier, for prolonging the armistice indefinitely, either party having a right to terminate it, giving thirty hours notice to the other party, to which I have acceded, as it corresponds with the system adopted on our part, and removes the obstacle of my going over to York—the wind has not permitted the departure of the second (and last) division of the Prisoners—but it seems now inclined to be favorable for it, and they are embarking in the Moira and Simcoe to proceed for Kingston. Lt. Colonel Myers reports on the subject to Colonel McDonell.[1]

"I am informed that Captain Loring[2] of the 104th Regiment (late Lt. of the 49th) has arrived at Montreal. I shall feel much obliged to Your Excellency to permit his joining me, as he came out with the expectation of being appointed my Aide de Camp. If my request cannot be granted I beg leave to recommend him to Your Excellency as well qualified for the staff appointment suitable to his rank should there be a vacancy.

"I this moment learn that the Prince Regent is coming in—I shall embark in her without delay and proceed to York, and as I intend sending this despatch from thence by land, I shall close it there.

(Sheaffe's Letter-Book)

Sheaffe wrote again to Prevost next day from York.

"I arrived here last night and found the Moira and Simcoe here, the wind having forced them to put in.

"The Executive Council assembled to-day, and I was sworn in as a Member of it and afterwards as President, which I have communicated to Earl Bathurst in a despatch that accompanies.[3]

"The Vessel that was supposed to be the P[rince] R[egent] proved to be the Royal George, in which I came over. That ship has taken on board the Prisoners that had been sent to this place and with the Moira and Simcoe has just sailed for Kingston. The P[rince] R[egent] arrived here this evening and I shall return to Fort George in that vessel to-morrow "

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[1] Colonel Edward Macdonell, Quartermaster-General.

[2] Captain Robert Roberts Loring, who afterwards became A.D.C. to Sir Gordon Drummond and was taken prisoner at Lundy's Lane.

[3] Printed in "The Documentary History of the Campaign on the Niagara Frontier in 1812," Part II, pp. 142-143.

(Sheaffe's Letter-Book)

Early in November 1812 by the advice of the Executive Council, a board of magistrates was appointed by the President to examine persons claiming exemption from military service as citizens of the United States and consequently liable to deportation as alien enemies consisting of the Honourable William Claus, Thomas Dickson, and Joseph Edwards to whom the following instructions were issued

"Instructions from His Honor to the Board appointed at Niagara, for the examination of persons residing in the Niagara, London and Western Districts who claim exemption from military service as being subjects of the United States

"Having thought proper in conformity with the advice of the Executive Council to constitute you or any two of you to be a Board at Niagara to receive and decide upon the pretensions of persons in the Niagara London, and Western Districts, who claim exemption from military service as being subjects of the United States you will therefore receive all such applications and being satisfied that the persons applying are subjects of the United States, you will furnish them with passports to cross the line at such place and in such manner as you may find expedient to direct. Should, however, instances occur in which it may appear to you that very serious injury may arise to such persons being settled and having families in the country, who have not received lands from the Crown or taken the oath of allegiance you may report the same to me especially with your opinion as to the terms of a modified allegiance or security for good conduct on which they may be permitted to remain

"Roger Hale Sheaffe, President "

A form of passport was appended

"The bearer of this (person's name at full length) late resident in (name of District &c) having reported himself to us as a subject of the United States and we being satisfied that he is so, do hereby grant him this passport that he may be passed over to from and quit this Province on or before the day of

"Given under our hands at this day of

"N B A description of the person to whom the passport is given to be inserted at the foot or on the back thereof The passport to be returned to the Board after it has been employed for the purpose for which it was granted"

(Dominion Archives, C. 688 B, pp 155-6)

A letter from Alexander Hamilton afterwards Sheriff of the Niagara district for many years, to Charles Askin contains a sarcastic reference to the short lived newspaper published at Niagara after the demise of the "Guardian."

Dear Charles,   10 Nov, 1812

Your note by Matthew Crooks came to hand yesterday morning but owing to my con[founde]d memory I did not send it with him I now enclose you a Bee of the 31st Oct, which is the last we have that of last week, partaking too deeply of the cup, got drunk and died I also send you a ten dollar association note.[8] Should you want more I can supply you very well being at present pretty flush The Moira Simcoe and Murney's sloop came in the other day loaded with cloathes for the militia[9] and goods for individuals There is nothing new by them It is said they were to be sent back immediately to Kingston for 2 more companies of the 49th and 1 of the Newfoundland company which would be a great addition to our strength They are so dilatory that the country might be taken & retaken two or three times before they would get back again

(Dominion Archives, Askin Papers)

The armistice was terminated by a letter from General Smyth at Buffalo stating that it would end at nine o'clock on the evening of November 20 This notice was given to the commandant at Fort Erie in the forenoon of November 19, instead of being sent to General Sheaffe at Fort George, yet it was delivered to him at half past eight that evening Next day Alexander Hamilton wrote to Charles Askin at Chippawa

My dear Charles   Nia[gara], 20 Nov 1812

Yours of this morning by Mr Nelles has this moment come to hand Respecting the notice given us of the termination of the armistice, it is certainly the case tho' I wonder you don't know it as it came from Fort Erie Col Clark does not seem to know it either which seems rather strange We understand we are to open every battery upon them at this place the moment the truce is over The whole country is in requisition at present drawing charcoal for to heat the shot The plan is said to be to open every gun, shells mortars, carcasses &c, &c, and continue the business until we get their fort in a blaze which if it should succeed which will be the means of throwing all their works which are fire proof open to our view Hamilton Merritt leaves this for Detroit with despatches and money for that place I have just called at Dr Kerr's for your salts but he has none and does not think there are any in town Heron's and Baldwin's are the only shops now open I enclose you two ten dollar notes As I do not just now want them, they may be as well with you as me I am happy to hear that the boards &c are mostly down and would be still happier to hear they were well sold Everybody here are now busy sending off their furniture &c as it is generally believed we shall have it very hot and probably all a flame I will endeavor to find some salts for you and salve before Mr Nelles returns Adieu perhaps forever in this world.

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[8] Probably issued by the Niagara and Queenston Association of Merchants formed to support the credit of the provincial government

[9] Purchased at Montreal by Lieut. Colonel Nichol Quartermaster General of Militia. Cf. Sheaffe to Prevost, 8 Novr, 1812, in Documentary History, Vol IV, p 186

(Dominion Archives, Askin Papers)

Later in the day Charles Askin wrote in much the same mood

Chippawa, Nov 20th, 1812

Dear Father,

We have notice from the other side that the armistice terminates at 9 o'clock to-night We doubted it at first but now there is no doubt of it and we expect an attack before to morrow morning I have given Elizabeth Meredith's miniature and some other things (that came from Archange) to Mrs Macklem of this place to take care of They are sealed and addressed to you. There is also some papers addressed in the same manner I send up in a waggon a keg of snuff for my dear mother, which she will give part of to my poor uncle & aunt Barthe I shall also send up a few yds of bombazet for my aunt and a keg of butter for my mother which I hope will get to Fort Erie in time to go up in the Lady Prevost As we are all preparing to meet the enemy I have not time to say more Please to give my kind love to my dear mother to James to Alexr my sisters and all my relations & friends

(Dominion Archives, Askin Papers)

With this letter went another longer one, begun two days earlier but completed the same day

Chippawa 18th Nov., 1812

Dear Father—

Three days ago I wrote to you but did not find an opportunity until to day that I saw Capt Hall of sending the letter the Lady Prevost now laying at Fort Erie will sail from that with the first fair wind I will endeavor to send up 10 lbs Tea, which a man has gone to Queenston for to-day, that it may be up in time for the Vessel the snuff and Keg of butter if in my power shall go at the same time—but as I have been disappointed in get[t]ing the butter which I long since spoke for, I may perhaps not be able to send up the Keg, for being stationed here with my company of Militia I cannot leave this to go where I could get it I am also prevented from sending something to my Uncle Barthe for I cannot get such things as I would wish to send him here for being in daily expectation of an attack, the Merchants have packed up most of their goods

On Friday last an attempt was made by the Americans to take the Royal George then laying at the Ducks near Kingston alone, the Oneida, a Vessel of equal force, and four others were employed for this purpose, but fortunately for us they failed in the attempt, we lost one man killed and three wounded the Royal George cut her Cable and made for Kingston The Simcoe was there on her way down and was chased, but luckily got safe into Kingston The Earl Moira was also on her way down, but not in company with the Simcoe, nothing has been heard of her, but as she left York the day after the Simcoe she had not time to have got to Kingston when the express left The American Vessels are better manned I believe than ours on Lake Ontario and I am afraid unless some British Tars are sent for the enemy will make themselves masters of it I was told that Capt Hall had made application to go for seamen to Quebec but was refused One of the inhabitants of this District, who has been ever since the war on the other side made his escape a few days ago and came over near Queenston in a Boat, he says the Militia have left the lines, but that the enemy have about seven thousand regulars between Niagara & Buffalo I do not think they have so many and if they have we have six thousand to oppose them, and their regulars are not near so well disciplined as our flankers Clothing has lately come for the Militia the Flank Companies get 1 pr pantaloons each, 1 pr shoes or two pr Shoe packs & 1 Jacket Shirts and stockings are provided for them For 3 yds of flannel and thread to make it they have to pay 5/6 N Y C and the stockings which are very good, cost them 4/4 apc Yk, every militiaman is to have a blanket but they are to be return'd

James Hamilton who is stationed with Robert about one mile from this sent down to Queenston to day for Elizabeth Meredith's miniature picture which he brought out with him and left in his trunk there I shall try and send it up to you by Ensign Kerr who appears to be a very careful young man, and who has promised to take charge of it

I have lately seen General Hull's official Dispatch to his Government respecting the surrender of Detroit. it is well wrote, and more correct than I should have expected it, although I dare say Mr Brush will swear there is not a word of truth in it when he sees it I see in the same paper that Col Miller who was taken at Detroit, is exchanged for Capt. Dacres of the Guerriere I am very sorry I have not been able to get the paper to send it to you. I have wrote to Alex. Hamilton to send me from Niagara any papers he can get and expect some from him to-morrow which you shall have if they come I will beg some from Mr Clark for you also I gave you all the news in the letter I wrote you three days ago, as I mean this shall go by land and may perhaps come to hand first I shall just mention the most interesting things Lord Wellington in several engagements with the French had allways been victorious and had destroyed the whole of Marmont's Army Marmont himself had lost his Arm and afterwards died. the French lost immense numbers Lord Wellington in one of the battles had got a slight wound with a Sabre He entered Madrid I think some time in August Joseph Bonaparte had made his escape but had not got out of Spain, we have had reports of his being since taken with the last of his followers about 7000 men but this I hardly believe yet know that as we were masters of the North of Spain, he stands a poor chance of getting clear. The French have been beat also in some encounters with the Russians and have lost three or four thousand men, this is all I now recollect except that it's said that Sir John Borlase Warren is sent out as Ambassador and is now at Washington. we shall soon know if he is or not.

Nov 20 Yesterday we had information here that the Armistice would terminate at 9 o'clock to-night. but we are not certain of it I send now to Fort Erie 7½ half yds Bombazet done up in a small bundle covered with Sheeting and addressed to you, this I will thank you to give to my Aunt Barthe with my love.

Please give my love to my Dear Mother, my Brothers & Sisters & respects to my Uncle Barth.

(Burton Historical Collection, Askin Papers)

When the privations and sufferings of the militia stationed on the Niagara became known at York the sympathy of the inhabitants was aroused and a meeting was called which resulted in the formation of the "Loyal and Patriotic Society," soon after for their aid and relief. The Reverend John Strachan, who took a leading part in its organization, wrote immediately on the subject to his former pupil John Beverley Robinson, who was still on duty with his flank company of the Third York regiment.

My dear John, Nov. 22, 1812

In consequence of a hint in the letters of Mr. G. Ridout and Mr. Robert Stanton to their respective fathers, the gentlemen of York met to day in the church for the purpose of subscribing towards the comforts of the militia belonging to this district on actual service, especially the flank companies.

Our subscription though not yet paid amounts to £150 and we wish your and Captain Heward's advice how to dispose of it for the most advantage of the men. Your brother, Captain [Peter] Robinson, thinks that the captains of the York militia should make a requisition upon the Quartermaster General for flannel sufficient to make two shirts for every man that wants them and thread &c., to make them up together with a pair of stockings for each and we will supply the captains with the amount. If there is any difficulty in making them up we can get it done here instantly. The militia will be much pleased when they know with what alacrity the subscription proceeded.

To Lieut. John B. Robinson, Brown's Point by Niagara

The appearance of a dominating hostile squadron of ships on Lake Ontario in November caused serious alarm. An emergency meeting of the Executive Council was held to discuss the situation. It was clearly seen that the safety of the seat of government as well as the Niagara Peninsula and the western part of the Province, was dependent upon the maintenance of naval superiority on that lake. An address to General Sheaffe on the subject was adopted unanimously and signed by the Chief Justice as chairman.

"We trust that Your Honour will believe that the following observations proceed from the purest motives which we as a Committee of the Executive Council do now submit to your consideration.

"We rejoice with our fellow subjects at the success which has hitherto attended His Majesty's arms, but while reflecting with pleasure on the past we cannot conceal our anxiety for the future.

"By land our success has exceeded our hopes, not so is our warfare on the lakes. Whether this is to be attributed to inferiority of strength on our part, to accident, which the wisest and bravest can neither foresee nor prevent, or to the inexperience of our naval commanders, we presume not even to hint at an opinion.

"But altho' our hopes have in some instances been disappointed nothing has as yet taken place to lead us to despair, much to excite our active exertions. If faith is to be given to report and that not slightly founded our enemies are using every effort to strengthen their marine on the lakes. At this moment it is said they are building a vessel superior in force to any that has yet appeared on Lake Ontario. The consequences that will necessarily follow from the command of the lakes being in the power of the United States would be distressing in the extreme to this province.

"We speak from the strongest conviction, we believe it would be fatal.

"But it is the farthest from our thoughts officiously to interfere with such measures as may be deemed expedient by those entrusted with command. We only as subjects and as men who have everything that is valuable and dear to them at stake, offer our feeble aid by stating with the greatest deference and respect to Your Honour as President of that Board to which we belong, our unanimous and solemn opinion, 'that to strengthen our marine on the lakes is absolutely necessary under existing circumstances for the defence and preservation of this Province'."

"Novr 17th 1812 Thomas Scott Chairman."

(Dominion Archives C. 728, pp 113-4)

This address was sent at once to General Sheaffe, who replied a week later from his headquarters at Fort George, where his attention was engaged by the recent resumption of active hostilities.

"Your address is before me The subject of it is of vital importance to this Province It has therefore an imperious claim to the attention of those who are guardians of the public welfare As such in making this representation you have performed one of the most essential duties which your public character imposed on you

"The state of our Provincial Marine and the necessity for its improvement and augmentation are known to his Excellency the Commander of the Forces and have been the subject of communication to His Majesty's Ministers to whom it has been recommended to employ officers and seamen of the Royal Navy on the lakes and as it has become evident that immediate exertions are necessary without waiting for distant aid I have no doubt that every effort will be made without delay to bring forward the resources which the British Provinces can furnish for counteracting the exertions and designs of the enemy in aid of which I am endeavoring to collect information from every part of this Province of persons who can be procured to assist in building or navigating vessels and of the materials and stores that can be furnished for their construction and equipment

"You truly observe Gentlemen, that nothing has yet taken place to lead us to despair We have hitherto waged a successful war, and with means that might have been justly deemed inadequate to the task which they accomplished Providence has been on our side. Let us look with humble confidence to its continued aid I transmit to His Excellency the Governor in Chief a copy of your address"[1]

(Dominion Archives, Sundries, Upper Canada, 1812)

Sir George Prevost had already given the subject serious attention as Sheaffe knew, but his means were limited and he was dependent mainly on assistance from distant sources

On the first day of January, 1813, he replied from Quebec in as satisfying terms as he felt justified in employing to Sheaffe's appeal

"I have received your letter of the 16th of last month containing a report of Captain Gray's arrival at Fort George and Lieutenant Colonel Myers being detained there by indisposition.[1] My despatches to you of the 23rd November and of the 15th and 19th December will have made you acquainted with the resources I have been enabled to draw from Lower Canada for aiding in the execution of the plan which is proposed for the improvement of the Marine establishment in Upper Canada to such an extent as shall at least raise it to an equality with the enemy. By a reference to them you will perceive that I was duly sensible that assistance of an essential kind was to be drawn only from a source over which I am without control, and in consequence early application was made from me to the Government and the Admiral in command of the ships on the American station. I have every reason to believe our wants will be attended to from both quarters, and with a promptitude calculated to add vigor to the exertions we are making for the preservation of the Province entrusted to your immediate defence. I agree with you in opinion that the construction of gunboats must become a secondary consideration. The general sketch of the plan proposed to be submitted to me by Lieutenant Colonel Myers respecting the increased establishment of the navy did not accompany the letter in which it is mentioned but as you are armed with such full authority on that subject I trust nothing impedes its progress. The arrival of Mr Plucknett[2] with one hundred and twenty ship carpenters and thirty seamen at Kingston, the departure under proper escorts of one hundred sledges laden with marine and ordnance stores from Montreal for Upper Canada, the assurance of receiving marine supplies from Halifax as early in the year as possible together with a proportion of naval officers and seamen all these circumstances will convince the gentlemen of your Executive Council that I am duly impressed with the necessity of strengthening our naval force on the lakes and at the same time as they are made acquainted by you with the measures in operation for their support you may assure your Council that I will fail in nothing that is within my ability for seconding their loyal and gallant disposition to defend and preserve entire the valuable province of Upper Canada.

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[1] See his letter to Sir George Prevost, 23rd Novr, 1812, in Documentary History, 1812, Part II, pp. 229-230.

"Mr Freer[3] will have made known to you the preparations which are making for the comfortable clothing of your militia. I regret that the total want of scarlet cloth has compelled me to consent to green being made use of for the purpose When the militia are clothed and paid the laws under which they were incorporated seem to me sufficient to enable you to establish for their government a system of discipline which may render that force very efficient against an American army

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[1] Myers and Gray were the officers of the Quartermaster General's Department who were then employed in superintending the construction of ships of war on Lakes Erie and Ontario

[2] Thomas J Plucknett appointed storekeeper and superintendent of the dockyard at Kingston

[3] His military secretary

"I shall be glad to hear the result of your enquiry respecting Captain King[1] but without some decisive proof shall be brought against him to establish his being a British subject, you will of course release him agreeably to the convention entered into between General Dearborn and myself for an exchange of prisoners, a copy of which I have directed Mr Freer to furnish to you

'Since writing the above I have seen General Smyth's official account of the late attempt to invade Upper Canada[2] and Mr Porter's comments upon it[3] From my perusal of them my apprehensions for the safety of the province are considerably diminished Such a force cannot be considered as formidable and the force opposed to you as well as the officers commanding it are by their own confession of such a description as cannot but inspire you with the fullest confidence as to the result of any future attempt they may make against you

"Mr Dickson[4] whose influence among the Western Indians is very extensive has lately made a proposal to me for a co operation with them for the defence of Upper Canada I have submitted the same to a board at Montreal of whom Major General de Rottenburg is the head and I have reason to think I shall despatch Mr Dickson to you for the purpose of accomplishing this object"

(Dominion Archives C 1220 pp 82 84)

Freer's letter to Sheaffe dated at Quebec next day read

"I avail myself of the departure of Lieutenant Colonel Bruyeres for Upper Canada to enclose to you an extract of a letter which has been written by His Excellency's orders to the Commissary General authorizing certain supplies to be provided for the militia of Upper Canada and it will be satisfactory for you to be informed that measures have been adopted for complying with that requisition and there is reas on to believe that the several articles will be in readiness to be forwarded to you at the period stated, at the opening of navigation in the spring.

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[1] Captain William King of the United States army, taken prisoner at Frenchman's Creek

[2] See Documentary History, 1812, Part II, pp 287-291

[3] Ibid pp 303 308

[4] Robert Dickson the noted trader among the Indians of the Northwest, a brother of William Dickson of Niagara and Thomas Dickson of Queenston

"The clothing which has been approved of by His Excellency for the militia of Upper Canada consists of green jackets red cuff and collar and whitelows, blue gunmouth trowsers and felt regulation cap."

(Dominion Archives, C 1220, pp 84-85.)

The resumption of hostilities had demonstrated the imprudence of permitting the departure of enemy aliens who might give useful information and Captain Loring addressed a letter on the subject to Colonel Claus and the other commissioners appointed for their examination.

"Gentlemen

"I am directed by His Honor Major General Sheaffe to communicate to you his wish, for your assembling on some early day for the purpose for which you have been appointed, But as circumstances have so much changed since the date of the Proclamation under which you have been instructed to act, that the public safety may be endangered by granting Passports to the extent which was then contemplated, His Honor desires that you will report for his consideration the cases of all claimants of Passports, and that you will suspend the granting any, until he shall have decided thereon."

When cold weather set in desertion to their homes by the militia on the frontier increased to an alarming extent and active measures were taken to bring them back. Captain Charles Askin addressed the following order to his Lieutenant, Christian McDonnell, who was then apparently on leave at his own home in Haldimand.

"On the receipt of this you will immediately go with Wm Kerr & Alex. Lymburner and with them take every deserter from my company in your neighborhood. David Merritt's pass will be out when you receive this and Minor Chambers's also. You will get them to assist if necessary, if not you must tell them to return immediately. You will inquire if Kerr's family are sick or not. He and Lymburner can bring three or even more prisoners. You will hasten down here for you are wanted very much. I shall expect you on Monday next. You will pass through Canborough on your way to this and assist Mr Canby in taking and having some deserters now at that place sent down

"Near Chippawa, Decr 4th, 1812"

(Dominion Archives, Askin Papers)

General Sheaffe described the situation as he appreciated it, in a letter to Sir George Prevost, dated at Fort George on December 9.

"I have to apologise to Your Excellency for the omission of intelligence from Colonel Procter, when I dispatched my letter of the 4th inst.[1] in which it was referred to. I now have the honor of transmitting it. Appearances on the other side agree with the accounts we have lately received. There are few men to be seen. The weather is cold for the season, but as yet there is but little snow.

"The desertion of our Militia has increased since the beginning of this month, but I expect the voluntary return of many. I hope that the rigor of the season and the state of the River will soon permit my authorising at least for a time the absence of a large portion of the Militia. When a bridge of ice shall be formed between us and the enemy, it will require all the force we can muster to afford a chance of maintaining our position, and indeed the whole will probably be inadequate to the task of preventing occasional predatory incursions. Some days ago a twenty-four pounder (from Detroit) that had been remounted on one of the Batteries opposite to Black Rock, burst, but fortunately did no other mischief than wounding Capt'n Kerby slightly in the hand. The Gun has been replaced by an 18 pounder. A vessel having the appearance of one of the Enemy's gun boats was seen yesterday morning about 10 or 12 miles to the Eastward, near the American shore. A bitter north west wind was blowing last night and still continues. She has probably run back to Sacket's Harbour.

"The weather has not permitted a communication by water with York since the 21st of November, and it is now deemed prudent to lay up the Prince Regent there. Colonel Vincent has adopted the same opinion respecting the Royal George and Moira at Kingston, that it would be attended with too much hazard to allow them to sail, he therefore proposes laying them up there, in which he does not foresee any disadvantage. There will at least be some inconvenience in their being separated from the naval depot, and they run more risk from the Enemy at Kingston. I shall impress on Colonel Vincent the necessity for taking every precaution for their security."

(Sheaffe's Letter-Book)

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[1] See Documentary History of the Campaign on the Niagara Frontier in 1812, Part II, p. 278.

Charles Askin continued to write to his father at intervals giving him fairly full information of recent events

'Mountain Near Queenston, Dec 11th, 1812

"Dear Father,

"Your affectionate favour of the 28th Ulto came to hand the night before last I am surprised to find by it that very few of the letters I have wrote you since I have been down here have reached you, the one giving an account of the Battle of Queenston went up in the Lady Prevost with some others and some newspapers, and I fancy you must have got them before this John & William Robertson were both in the Battle and newspapers and I fancy you must have got them before this John & William Robertson were both in the Battle and distinguished themselves Will am particularly who behaved as gallantly as any one engaged that day Robt Hamilton & Alexr were in it also but only in the afternoon and Alex could not take an active part in it for he could not ride nor hardly walk on account of boils therefore remained or went with Capt Holcroft who was cannonading the enemy when crossing the River I had been laying confined to my bed three days before the action with boils and so ill with them that part of the time I could not even Sit up in bed to eat my Victuals I was at George Hamilton's when the attack was made and had to get off as well as I could I remained a short time in Queenston, but finding the enemy were getting the better of us I went away to avoid being taken prisoner an account of the battle is in one of the newspapers I sent you therefore shall defer saying anything more about it at present Soon after an armistice was concluded which did not terminate until the 19th Ult Our Batteries at Fort George the day after its termination opened on Fort Niagara and a cannonade was kept up all day, some houses were burnt on the other side & about as many at Navy Hall we lost two men Capt Fry a half pay Officer and a Soldier of the 49th Regt, and I believe the enemy lost but few Some shots were fired from Queenston over to Lewiston but not returned from that day we were quiet enough except now and then a false alarm, until the 28th Ult when 500 of the Enemy came over from Black Rock and landed near the Ferry below Fort Erie about 1 o Clock in the morning most of them unobserved they fired on our men at the Batteries who had only time to spike the Cannon and make their escape after defending themselves, but resistance was useless against such a force, some of the Regular Artillery were killed and some wounded Mr King was severely wounded and taken prisoner and is since dead, about 40 of the 49th Regt and some Militia attacked the Enemy and drove them once or twice, but at last met with a party from Fort Erie who were coming to our support but not knowing in the dark friends from foes they fired on each other Mr Lamont of the 49th Regt was badly wounded, with three balls, he commanded a small party of his Regt but the Americans were among them and were supposed to be Indians for they all wore blanket coats and looked so much like them in the day time that I am not surprised our men were deceived by them at night The light company of the 41st Regt who were stationed on the river below the place of attack met the enemy when marching up to aid the 49th, they did not know they were the Americans until the word of command was given make ready take aim the Officer commanding the 41st then attacked them (they were the advance guard of the Enemy) and he drove them back on their main body The 41st then Retired until day light, for it was impossible to know your friends from your foes At daybreak the Enemy had all retreated and crossed the River, except Capt King Aid de Camp to General Smith, & 35 men who were taken prisoners, a party of Sailors composed part of the force who came over, these Scoundrels set fire to some houses of Mr Douglas's & Mr Hardison's which were burnt to the ground these fellows had to make a precipitate retreat some were killed and others taken prisoners We lost nearly eighty men killed, wounded & those taken prisoners the prisoners have since been exchanged the 49th & the long Point Militia suffered most After day light the Enemy made an attempt with seventeen boats to come over, we had then about eight hundred men ready to receive them and when the boats came within musket shot, we poured such a brisk fire among them that the foremost boats cried out for Quarter, but as it was impossible to stop the Militia from firing on them, they all turned back A three pounder was playing on them all the time and giving them plenty of Grape or Cannister shot What number the Americans lost in this attempt to cross is not known, but the boats were full when they were coming to this side and only five, six or seven were seen to get out of most of them, when they reached the other shore In this and the Affair during the night the Enemy may have lost about two hundred men After their failure a large force was seen to collect and upwards of fifty boats, scows &c were filled with men, horses and artillery all ready to come over, (the enemy it has since been ascertained were then 7000 strong) General Smith then summoned the Garrison at

Fort Erie to surrender, but an answer was sent him to say that we would not think of surrendering the place as we could repel any force he could bring against it and we only had then about fifteen hundred men at the place and hardly a Cannon to fire at them which the Enemy knew, and they had at least 16 field pieces and those very fine ones Immediately after he got the Answer instead of coming over, he disembarked all his troops. Its said that part of his Army were so disgusted with him that they endeavored to kill him and three shots were fired at him, one thing seems certain that he had to fly from his Army, this we have from our prisoners who have returned from there, an inhabitant of the Head of the Lake, who made his escape from that side, from Capt Fitzgerald who was over with a flag of truce and saw two thousand of his Army paraded for him and that hundreds were returning home. All the Militia Volunteers are gone and the Army of the Centre, as General Smith is pleased to call it, was reduced by desertion & death from seven thousand to three thous[an]d I Saw one of this cowardly General's Proclamations lately, he has the impudence to call Upper Canada part of the United States Its a good deal like Hull's but not quite so barbarous. This General Smith was to do so much when he came that he allmost alarmed us, but he proves to be even worse than Hull We have been quite on the alert since the business at Fort Erie and as the desertions and sickness has been very common among the Militia our force is much reduced and the duty has become very hard both on the officers and men who remain We have lost a number of Militia Men by the Pleurisy, they are taken very suddenly and very violently ill and often die in eight or nine days Numbers of women in the Country have died also lately and what is strange you hardly hear of a Regular soldier being sick, but they are used to fatigue and are well clad which is not the case with all the Militia, but clothing is now given to the flank Companies, some articles for nothing & some at a very low rate We have a most Gallant Young Officer here, Col Bishopp who commanded at Fort Erie the day General Smith pretended to come over. He does everything he can to make the Militia comfortable and does not mind a little expense, he has already ingratiated himself in their favor and he is as much liked by them I believe as General Brock was We are in great hopes of soon having a peace, everything seems nearly settled between Sir John B Warren & Mr Monroe I think the Oxen had better be sold to Mr Brush at the price you mention for I should not know what to do with them here

"Please give my love to my Dear Mother my Brothers & Sisters

"I am your dutiful & Affectionate son

Charles Askin

John Askin Esq
near Sandwich

"Please thank Alex for me for the sword he was so kind as to send me I sent up a few things this fall which I hope you will receive by the Lady Prevost

"P S I have been stationed with my Company at & near Chippawa I am now on leave of absence for a few days & am spending them here with John Robertson & to-morrow I must return to my Duty John Robertson desires his best regards to you."

(Burton Historical Library, Askin Papers)

In a letter to Hon Paul Hamilton, Secretary of the Navy, Commodore Chauncey described the success of his efforts in delaying or preventing the transportation of reinforcements and supplies from Kingston to Niagara which had caused so much privation to the troops defending that frontier

"Sackets Harbor, 9 Dec, 1812

"Confidential

"Sir

"On the 8th inst I sent a flag of truce over to Kingston with Mr Murney, late owner of the sloop Elizabeth My real motive in sending this flag over was to gain information of the strength at that place which consists of about 600 of the 49th regiment and nearly 1000 militia They also can call in 2000 militia in 24 hours notice That part of the Glengary regiment (say about 500) which was at Kingston at the time I made the attack upon the Royal George finding that they could not get up the Lake by water have marched to York by land The Royal George Earl Moira and a schooner all loaded with military stores and clothing for the Army & Indians at Fort George, have made four attempts to escape from Kingston since the 20th of November but upon seeing our blockading squadron have run back They have now relinquished all hope of getting up this winter and have in consequence discharged the stores &c and laid up their vessels I therefore hope to have the pleasure of conducting them into Sackets Harbor before they get another chance to get up the Lake It is also a satisfaction to know that we have prevented the Enemy from sending to Fort George and the posts on that part of the Lake the clothing and arms that his troops may require this winter Mr Vaughan[1] could not learn that the enemy contemplated an attack upon this place this winter, on the contrary they appeared to apprehend one from us

"The information contained in this letter was obtained from an officer on board the Royal George who Mr Vaughan had known for several years and who is friendly disposed towards us, it therefore may be depended upon We shall be prepared here at all events to give them a warm reception if they should make any attempt upon us this winter"

(Captains' Letters, Navy Department MSS, Washington)

The apparent discomfort and discontent of the militia determined General Sheaffe to relieve a considerable portion of them from active duty by relays This was announced in a letter from Lieut Colonel Cecil Bisshopp to Lieut -Colonel Clark

"Fort Erie Decr 13th, 1812

"It is Major General Sheaffe's desire that all the militia be sent home One of the flank companies of the 1st 2d, 3d & 4th Lincoln Regiments be permitted to return home for the space of a fortnight, then to return to relieve the remaining companies of each of those corps

'One of the flank companies of the Norfolk and York Regts will likewise be allowed to go home but as these are at a greater distance from home than the others they will not be expected to return till three weeks have elapsed from the day of the departure of each company from its quarters An alarm post for every company is to be established at a point most convenient to assemble at for returning to their quarters

"A gun is intended to be placed on the hill near the entrance of Lundy's Lane to give the alarm if necessary by three discharges at intervals of five minutes

'Particular care is to be taken of the arms and ammunition which the men are to take with them and be responsible for under the superintendence of their captains who with their subalterns are to inspect them once a week by squads, one for each officer either at the men's houses or assembled at some central convenient spot for the men composing it The barrack or other articles that may have been issued for stationary use to the companies going home are to be delivered in at the nearest post to the proper persons for receiving them whose receipts are to be taken for them in duplicate one of which is to be transmitted to Lt Col Nichol Q M General

---

[1] William Vaughan, a local sailing master, see Lossing's Fieldbook of the War of 1812, p 368

"This arrangement is to be carried into effect as quietly as possible to avoid the observation of the enemy

Private instructions to the foregoing effect are to be given to the commanders of corps & companies and means are to be taken for carrying them into effect immediately unless there be any obstacle of sufficient importance to justify their being suspended

"I have the honor to be Sir,
Your ob't serv't
Cecil Bisshopp
Lt Col Inspt Fd Officer

'Lt Col Clark
'Comdg 2nd Lin Militia

"On the other side is the list of the Flank Companies that will go home till the 28th Inst, then to return and relieve the others of their respective Regts

"Likewise the companies of the 2nd York and Norfolk that are to remain till the 4th of Jany

"Capt Nelles's company will march to Ft Erie as well as Capt Applegarth's to-morrow morning

"To go home till 28th inst	To remain till 28th inst
"2nd Lin Capt Hamilton	Capt Rowe
"3d Lin Capt Warren	Major Warren
"4th Lin Capt W Crooks	Capt Nelles
"5th Lin Capt Hatt	Capt Durand
"1st do Capt Js Crooks	Capt McEwen
"Till 4th Jany	Till 4th Jany
'2nd York Capt Chisholm	Capt Applegarth
"1st Norfolk Capt Bostwick	Capt McCall
"2nd do Capt White	Capt Rapalgee

(Dominion Archives, Askin Papers)

Next day Charles Askin wrote another long letter giving further information of recent events

'Dear Father "Near Queenston December 14th, 1812

"Your affectionate favor of the 26th Ulto I had the pleasure of receiving a few days ago and partly answered, but could not go to Niagara therefore missed an opportunity of sending you an answer by the return of the Mail I luckily met with one of Lord Selkirk's men from Baldoon who is kind enough to take charge of this and says he will leave it at Dolson's for you as also of another letter I gave him to-day which I wrote you two days ago in which I have given you an account of an affair which took place on the 28th Ulto at Fort Erie in which we suffered severely but our Enemy much more, and the business terminated much to our honour and in such a manner as to convince the American Nation that Canada is not to be conquered in such an easy manner as they imagined General Smith sent a Summons to the Com'g Officer at Fort Erie on that day to surrender that Garrison and its Dependencies he then had seven thousand men under his Command at Black Rock and Buffaloe and we had but fifteen hundred at Fort Erie to oppose him part of them Indians and part Militia but an answer was sent him by Col Bishopp (a very Gallant Young Officer just from Spain) that he could not think of doing it as he had sufficient force to repel any force he could bring over Gen Smith then had a part of his Army embarked in sixty boats scows, &c ready to come over, and we were ill-prepared to receive him which he knew very well for most of our Cannon had been spiked by a party of his men or our own that morning when the party from the other side came and surprised our men in the Batteries, but Gen Smith had not courage enough notwithstanding all these advantages to attempt to come over and immediately on receiving the Answer to his Summons disembarked his troops Some of his men Yanky-like wanted to know from him what he meant by his Maneuver but he would not condescend to tell them & this gave them Such Offence that three or four shot it's said were fired at him and he made his escape One thing is certain that he is gone but (as great a Coward as I think him) I hardly think he has left his Army in the shameful manner he is said to have done He is one of the most Violent Generals I think that has been opposed to us this War, if poor Hull is hung for Cowardice I think there is not many of their Generals but should share the same fate General Van Ranselaer I think was a good Officer but he was too liberal and too much of a Gentleman to please his Country, he was obliged to give up the Command and General Smith superseded him

"I am sorry to say the Naval Department on Lake Ontario have done nothing to boast of this War and the Americans, unless other Officers & Crews are got for our Vessels will make themselves masters of that Lake next Spring Some Merchant Vessels have been taken in Sight of the Royal George by small armed American Vessels and no exertion made to save them or rescue them A Lieut of the British Navy arrived yesterday at Niagara who I believe will have the Command of One and some others I believe with a Crew from Halifax are coming and four Vessels are ordered to be built two at Kingston and two at York, there is no doubt that the Enemy will try every means in their power to make themselves masters of both Lakes Ontario & Erie

"No troops I believe are yet on their way here though it has been frequently reported there were except twenty of the Royal Artillery and an Officer, who I believe are now on the road between Kingston & this, they are much wanted here, for though we have 2 Companies of Militia Artillery on the lines its not enough and men from the 41st & 49th have sometimes to Assist in Manning the Guns Some troops I saw in a Montreal paper to-day are on their march from Halifax to Quebec under the command of Lt Col Hamilton of the 100th Regt what number it is not said

"I saw English papers as late as 25th Augt , there is hardly anything said about the War with the Americans and I only see an account of one Regt going to Halifax I think its the 97th though there are lists of the reinforcements going to Portugal & Spain, the papers nearly filled with accounts of Lord Wellington's great Victories in Spain & Portugal A prayer has been ordered to be used throughout the United Kingdom of Eng[land] & Ireland thanking the Almighty for our Successes in Spain particularly for the Victory over the French at the Battle of Salamanca No more titles can be given Lord Wellington than he allready has for he has Spanish & Portugese ones enough to fill half a sheet of paper nearly I believe they are now at a loss to know what rewards to make him for his splendid achievements

"St Regis a small Town in Lower Canada which was taken some time ago by the Americans has lately been retaken by us & a company of Americans were lately taken at a place called River Sable by a party of Militia

"General Dearborn, the Commander in Chief of the American Army, its said is going against Montreal with 16 000 men they have not many troops in Lower Canada, yet I fancy General Dearborn will meet with a warm reception if he goes there There are two Regts raised in Lower Canada since the War one called the Voltigeurs & the other Voyageurs there are fine active Canadians in each

"We are flattered notwithstanding the preparations we are making for War with hopes of a speedy and honorable peace Sir John B Warren is said to be at Washington and all differences between the two countries is settled except the Naturalization of British born subjects who come to

America respecting this our Ambassador and Mr Monroe cannot agree

"I am sorry it has not been in my power to pay the Auction Acct but intend to pay it before I get the prize money[1] for I do not know when if ever I get any I am anxious to pay Mr Pattinson[2] the money I borrowed of him last Summer I have been disappointed in getting money here otherwise I would have done it before this I wish Alex. to pay what he owed me to Mr Pattinson & hope he has done it if not beg that he will now, and send me a receipt of it Mr Brush[3] gave a draft on me favour Doctr Day or Mr Eastman & cannot recollect which for the hundred dollars which he lent Major Chambers This draft he begged me to accept which to oblige him I did at Detroit The draft was lost in the Caledonia or Detroit so Doctr Day and Mr Eastman have both wrote me, and both of them have requested me to pay it but I have never received the money yet from Chambers tho' it has been ready for me a long time. indeed I could have had it any time when I pleased to call for it but seeing no one authorized to receive it I never got it of him The Money I think I will get now & send it to Mr Brush, on his giving me a proper receipt for it mentioning every circumstance respecting the transaction that I may not hereafter be liable to pay the money & have to suffer for wishing to oblige him & his friends that Day I would like to let Mr Brush have his grey mare at the price he sold her to me for I have more horses than I know what to do with A receipt from Mr Pattinson will be all I want for that amount & I will then send her to him but he must pay the charges of her bringing up if any I could sell her but wish him to have her again as he appeared partial to her

"Elizabeth Meredith's Miniature picture I have got, but do not like to send it now

"Please give my love to my Dear Mother my Brothers & Sisters

"Your dutiful and Affectionate Son
Charles Askin

"P S I wish it was possible to get the pistol you lent Mr Pattinson

'to John Askin Esq'r
'Care of Matthew Dolson Esq'r
"River Thames—Sandwich."

(Burton Historical Library Askin Papers)

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[1] Awarded for the capture of Detroit

[2] Richard Pattinson, a merchant at Sandwich and a member of the Legislative Assembly for Essex 1812-1816

[3] Elijah Brush of Detroit, husband of his sister Adelaide

An official return has been preserved of the casualties of the Second Lincoln, of which the flank companies and a considerable portion of the rest of the regiment had been on service since the declaration of war had been announced.

"List of men belonging to the 2nd Regiment of Lincoln Militia who have been wounded or have died since the 26th of June last

Stephen Peer Morris Derrick (or Detrick)	Wounded at Queenston, Oct 13th, since recovered.
Charles Cook	Shot through the thigh at Fort Erie, 28th Novr., recovering slowly.
Gershom Conger John Clark *David Tallan *Gabriel Smith John Gallipo David Bouck Daniel Millard *Hyre Waters *Daniel Hickson Benjamin Skinner Orman Ensign William Brooks Colin McCallum John Hodgkins James Stevenson Peter Wright *Lewis David George Couck	Died since 28th Novr

"Note—The names marked with a (*) were single men, the others were men with families

"Chippawa, Jany 1st, 1813

"Thomas Clark, Lt Col 2nd Lincoln Militia."

HC
N

"Ducit Amor Patriae"

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 44

RECORDS OF NIAGARA

A Collection of Contemporary
Letters and Documents

January to July
1813

Collected and Edited by
BRIG.-GENERAL E. A. CRUIKSHANK

LIBRARY
MAY 22 1940
UNIVERSITY OF TORONTO

Published by the
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LIEUT COLONEL CECIL BISSHOPP

(See Page 70)

PRINTED FOR
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EDITOR'S NOTE

The documents printed, nearly all for the first time in the following publication, like those in its immediate predecessors, have been collected from several widely separated sources. A few have been transcribed from rare contemporary newspapers. They will be found, it is hoped, to throw considerable interesting light on local history.

RECORDS OF NIAGARA

No. 44

1813

From General Sheaffe to Sir George Prevost

A letter from General Sheaffe to Sir George Prevost written at Fort George on January 6th throws considerable light on his situation at that time when winter had put an end to active operations

'I have received this day a communication from Dy Commissary Genl Couche of which I have the honor of transmitting a copy[1] The issues of Provisions have considerably diminished in this District and will remain some time much below their late amount At York and Kingston they will continue to be at least as great as they have for some time been, owing to the increase of the Marine establishment at those Posts At Amherstburgh it appears probable that the consumption will be increased during the Winter as many sources of supply that the milder season furnished to the Indians will no longer exist The several Corps and Departments in this Province have been compelled to apply to the Commissariat for pecuniary aid it not being able to obtain money from any other source

"As the pay of the Militia and other Provincial expenses have been furnished by the Commissariat and it probably not being regular that such monies should be finally accounted for through it it may be necessary to establish some mode whereby the Province should be made accountable for them through its proper officer the Receiver General, I request your Excellency's advice and instructions on this Head as it appears to be of importance that a plan to regulate such matters should be speedily adopted, for the simplifying and facilitating the settlement of the public accounts

"I propose going to York in the course of a few days, the passage of the River being impracticable[2] and likely to remain so for some time

"It has been suggested to me that two or three Battalions might be formed in this Province, if encouragement were given by a promise of land &c. A proposition has been made to me by a Major of Militia [1] to raise a Corps of 2 or 300 men in York and its vicinity, and increase it by inlistments elsewhere to 5 or 600, not to serve out of the Province but in such cases as it may legally be required of the Militia. I beg leave to submit this subject to your Excellency's consideration with the hopes of being honoured with an early intimation of your opinion thereon, and of the principles on which you would recommend and approve of the formation of such a Corps. It is thought by some that the inlistment of a Militia man is prohibited by the 23rd Article of the Militia Act passed the 5th of last August, but such a construction appears to me to be controvertible."

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[1] See also Documentary History 1812 Part II p 334

[2] The Niagara River for an invasion

"I shall not urge the necessity of a considerable reinforcement to this province, as it must be sufficiently obvious to Your Excellency that it will be required to resist the augmented force which the enemy will probably direct against us, and to aid in protecting our dockyards from the early attempt which will no doubt be made on them to defeat our efforts for establishing a naval superiority."

(Dominion Archives, C. 117, pp. 1-5.)

Prevost's Reply

The inevitable delay in the transmission of most important letters in the winter is shown by Prevost's reply, written at Quebec on January 21.

"The Montreal mail which arrived this morning brought me your letter of the 6th inst. and its enclosures. The attention of the Commissary General has been called to the papers relating to the provisions and he will give such directions as may be expedient to his deputy in Upper Canada as to the means to be adopted by him in procuring the supplies to meet your wants in this respect.

"The Military Secretary's letter of the 3rd inst. will have conveyed to you my ideas on the subject of militia disbursements & the propriety of an appointment of a Dy. Paymaster. This communication will probably have reached you at York where you might be enabled to supply that officer.

"I presume your removal from your Dist. Hd. Quarters to York is with an expectation your presence at the seat of government would accelerate the accomplishment of the civil concerns of your command. I sincerely hope you may not experience disappointment, but be enabled by the good disposition of your Legislature speedily to return to your post with additional means of repelling the designs of the enemy against Upper Canada. I consider the suggestion for raising two or three battalions in the province of Upper Canada with encouragement of the promise of lands which might be recommended by you to the Secretary of State, to be confirmed by H.R.H. the Prince Regent to such as engage under those expectations as a judicious measure. These corps would be literally incorporated militia serving under the militia laws & not to serve out of the province except as provided for by that act. As an inducement to promote the formation of such corps, the Legislature would no doubt accede to a certain sum being allowed each man as an outfit to provide some articles of necessaries not to exceed £5 curr'cy. It has been proposed that a sum not exceeding £3 shall be given in this province for the outfit of each militiaman required for service in the next summer. It is very desirable that the corps should not be encumbered with field officers from the militia, but that intelligent and active captains from the line possessing discretion and skill should fill those situations. I am aware the execution of such a plan may be attended with great difficulties notwithstanding the incontrovertible benefit arising from it to the service, therefore I only suggest the measure trusting to your judgment for the execution of the whole or part of it according to the disposition of the people you have to deal with.

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[1] Major Titus Geer Simons of the 2nd York.

"My last communication will have made you acquainted with the extent of the reinforcement I can send you consistent with the safety of other parts of my command. I trust that with this, the addition of a well organized militia and the assistance of the Indians, you will feel yourself enabled to maintain all your positions from Cornwall to Detroit and Michilimackinac and to bring a second campaign to as honorable a termination as you did the first. I readily assure you that if His Majesty's Government increase my means of defending the North American Provinces in the spring I will send you a full share of whatever arrives. Since the winter roads have become practicable no intermission has taken place in forwarding to Upper Canada supplies of every description for land and lake service."

(Dominion Archives, C 1220, pp. 118-9.)

From Col. Claus to Sir John Johnson

A letter from Colonel William Claus to Sir John Johnson the Superintendent General of Indian Affairs shows that there was considerable discord between the officials of that department and military officers which could not fail to be detrimental

Fort George 7th Jany 1813

'Dear Sir

The enclosed letters one from Mr Ironside of the 9th of Dec covering one from Colonel Elliot to him dated 17th Nov & Col Elliot's to me of the 20th Dec last ought to have been sent earlier but circumstanced as I am I find it difficult to get through As you will perceive by Elliot's letter to me that he has been much disappointed in the assistance that was promised his situation has been particularly hard he has been constantly and actively employed since the war & I am sorry to say that notwithstanding his every exertion that situated as our Dept is, we are subject to the orders and whims of every subaltern officer in the service His long service & age did not screen him from being called out but what he very properly treated as he should It was on the first expedition to the Miami when fault was found with him for not ordering the Indians to do what was thought by the officer they should do & no direction left to the Indian officer, I have understood (for Elliot has never reported the business to me) that the Indians were expected to obey orders the same as soldiers & because they did not they and their officers were a set of damned useless people It is much to be desired that Sir George Prevost would place us upon some footing so as to put us out of the power of every officer by this I do not mean all officers in the service but give us some rank so as to prevent us being subject to the orders of young officers You will perceive by Elliot's letter that there have been representations against the Indians on the Fort Wayne expedition Gen Sheaffe tells us nothing has come to him Should anything have been said below, I hope his request will be urged by you to have a hearing and then we shall be seen in our true light & the world will know that if it had not been for the determined conduct of the Indians that perhaps the Province would not now be in our possession The bearers of this are seven of the 6 Nations who go to see the Seven Nations of Canada to talk over old affairs and renew their friendship By them I send a message to the 7 Nations reminding them of their promise to my Father of their fidelity to the King when he had the care of them & to encourage them to be of one mind & also to inform them of the message we received from the Western Indians that they had joined the King in the war against the Americans that their eyes were fixed on all Indian Nations & that any one that held back would hereinafter be remembered and cut off'

'I am so badly off in statiorery that I cannot have a fair copy made of the enclosed letters The paper I now write on is beg'd from Mr Powell, my neighbor a little remaining of his stock & the pen I got this day from Capt Loring We have not received any stationery for these last five years We have a very unhealthy season a complaint prevails that carries off the patient in 5 or 6 days I am sorry to tell you that poor Cardotta died of it last night, a loss I shall much feel I was going to send him off to St Joseph Our stores are all but empty pray send us anything you can We look and hope for a strong force in the spring & have nothing to give No doubt but an attack & that a very formidable one will be made on this attack & that a very formidable one will be made on this frontier in the spring I would wish very much that you would interest yourself on behalf of Elliot, who is the worst paid man in the two Provinces He has but £100 a year for his services for without serving he would have his half-pay £100 which he sacrificed by accepting of the appointment

My papers, as well as everything else are in such a confused state that I can seldom lay my hand on any letter, & I do not know whether I have wrote you since the affair of the 28th Nov last On the appearance of the enemy moving I sent Major Givens Lt Chew & three interpreters, with a number of Gd River Indians & Chippewas to post themselves near Fort Erie & Capt Norton with some more of the Gd River Indians & Chippewas to be ready to act either the right or the left of our lines Major Givens' Indians, who were encampt about 6 miles below Fort Erie were in time to act & were of great use & behaved well They kept up a very warm fire on the boats & must have done great execution as they got to the water's edge & took deliberate aim every shot In that affair my friend Lt King of the Arty was severely wounded and made prisoner He was shot down at his 6 pounder & the port-fire knocked out of his hand I have been over to the Black Rock twice to see him My last visit was last Thursday & I am happy to say he is likely to do well & I intend going over in about a fortnight to bring him over Every kindness is shown him but they are badly off for every comfort for an invalid We have lost several valuable Indians with the prevailing distemper a kind of pleurisy, a violent pain in the side & head

'With sentiments of esteem & regard I am Dr Sir,

'Yours most faithfully,

"W. Claus"

"The Hon.
"Sir John Johnson, Bart
(Claus Papers. Copy by Miss Catherine Claus)

From Commodore Chauncey to Sir John Johnson

After having laid up his ships on Lake Ontario for the winter in Sackett's Harbour and provided for their defence, Commodore Chauncey went to Buffalo to arrange for the construction of ships of War on Lake Erie A small ship-yard had been constructed at the mouth of a creek flowing into the Niagara River below Black Rock, where several merchant schooners were being converted into gunboats From Black Rock he wrote a letter to the Secretary of the Navy on the 25th December, 1812

"This frontier is left with less protection than its importance requires, from this place to Lewiston a distance of about 24 miles there is not a single sentinel There is about 300 of the 14 Reg stationed at this place the rest of the army have gone into winter quarters 11 miles back from the river,[1] therefore if the enemy should think proper to cross, spike all the guns, and destroy all our stores there is but little to prevent them I am erecting a Block-House near the vessels with a view to their protection and the stores belonging to the Navy Department which I hope to preserve Notwithstanding we are assured by the Military, the people upon this frontier place so much more reliance upon the protection afforded to them by the seamen than the Military that if any circumstances should make it necessary to remove the seamen this part of the frontier would be immediately deserted."

(Captains' Letters, Navy Department MSS, Washington)

From Commodore Chauncey to General Sheaffe

He wrote on the same day to Sheaffe apologizing for the misconduct of some of his seamen in the recent incursion and proposing an exchange of prisoners

"Upon my arrival at this place," he said, "I was mortified to learn that a party of three sailors had crossed the River on the 28th ulto and burnt two houses the property of individuals This act I assure you Sir was done without the knowledge of the Naval Officers then commanding on this Station, and the men have been made sensible of the impropriety of their conduct

"I will also assure you that as far as in my power to prevent no similar act shall be repeated by the men under my Command

---

[1] At Williamsville

"I understand that these Seamen were taken on the morning of the 28th ulto in company with some Soldiers, and are now Prisoners at Fort George I trust, Sir, that you will not hesitate to let these men return when I assure you that I hold Colonel Vincent's receipt for Captain Brock,[1] and the officers and crews of the Mary Hatt and Elizabeth[2] taken by the squadron under my command upon Lake Ontario in Nov last, and who were sent to Kingston immediately after, upon their Parole Lieut King[3] is in a way of recovery I will send him over upon his parole the moment he can be removed with convenience to himself"

(Sheaffe's Letter-book)

Sheaffe's Reply

Sheaffe's reply from Fort George on 4th January, 1813, courteously declined an exchange of seamen until he received further instructions

"I have the honor of acknowledging the Receipt of your Letter of 25th Dec r Brigadier General Smyth soon after the burning of the two houses to which you allude thought proper to explain in a Letter addressed to the Commanding Officer at Fort Erie,[4] by what means that act had been committed, and to declare his disapprobation of it I receive with great satisfaction the assurance of your participating in his sentiments on the occasion

"I regret that it is not in my power to accede to your Proposal for the release of the American seamen taken on the 28th November The Treaty for releasing on their Parole, and for the eventual exchange of Prisoners, entered into between General Dearborn and Sir George Prevost, not providing for such a case I must wait for authority to liberate those men It is not however to be expected that more Prisoners will be sent over from hence on their Parole, until the Officer Commanding the United States Forces on the Niagara Frontier shall have performed on his part, what remains to be done for the completion of the exchange of those who have been returned by us on their Parole For Captain Brock, I have no doubt that a Captain of the United States Army has been released If the officers and crews of the Mary Hatt and Elizabeth have not been exchanged, it will be necessary that

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[1] James Brock paymaster of the 49th Regiment, a brother of the General

[2] Canadian merchant schooners

[3] Lieut Charles King of the Royal Artillery

[4] See Documentary History, 1913, Part II p 246

I shall be furnished with their names and with authority from His Excellency Sir George Prevost, to enter into a negotiation for their exchange on which I shall without delay apply for instructions

"P S I beg you will accept of my thanks for your pleasing account of Lieut King, and for your assurance of sending him over on his Parole when he can be removed with convenience The name of the officer of similar rank of the U S Army now on Parole, may be sent with him, for their mutual exchange"

(Sheaffe's Letter-book)

From Commodore Chauncey to the Secretary of the Navy

From Black Rock Chauncey went to Erie in Pennsylvania, where another ship yard had been established and the construction of gunboats begun From that place he wrote to the Secretary of the Navy on the first day of January, 1813

"I arrived here yesterday and found that Mr Dobbins had commenced the building of four gunboats two of the frames was already raised and the other two nearly ready these boats are too small to cruise upon this lake and the two that are the most forward are in a state I cannot alter them by the other two I have added ten feet to their length which will make them safe vessels

'Mr Dobbins has already expended three thousand dollars—he sent me a copy of his instructions in October last I then wrote to him not to commence building untill he heard further from me upon the subject he however states that he never received that letter which was the reason that he commenced the boats without instructions

'These boats will not be ready to launch before the middle of April there is but few carpenters to be got here and most of these are house carpenters I have however ordered three good ship carpenters from Sacketts Harbour to this place which will enable Mr Dobbins to progress with the work pretty fast untill the Spring when I will furnish more workmen

"The Harbour of Presque Isle is large and capasous (sic) and would be a fine rendezvous for our vessels on this lake if there was more water on the bar which unfortunately only admits vessels drawing from 4 to 5 feet Yet in my opinion it is the best and indeed the only place we can build at The situation is healthy and good accomodations may be procured for the workmen and the place can be easily defended

"Before I leave here I shall inform myself of the resources of this part of the country in furnishing materials for building and equipping vessels for war my present impression is that it abounds with fine timber and iron and cordage may be procured with facility from Pittsburgh'

(Captains Letters, Navy Department M S S , Washington)

From Chauncey to Secretary Hamilton

Returning within a week from Erie, Chauncey wrote to Secretary Hamilton from Black Rock on January 8.

"I arrived here from Erie yesterday and found things much as I left them The vessels at this place purchased for Acct of the Navy Department (four in number besides the Caledonia) are in that state that they cannot be removed until we have possession of the opposite side of the river I have therefore determined to procure materials at Erie this winter to build a brig of about 300 tons to mount the guns of the Oneida upon her The cost of the materials will not be great and can be sold with little loss if not wanted. I shall be in a situation in the Spring (if we get the vessels out of this river) to build the brig in the course of a few weeks which will enable me to seek the enemy upon this Lake Unfortunately Lieut Elliott (from the best motives however) had the decks of the vessels at this place taken up for the purpose of entering into a more extensive alteration than I wished or contemplated. Soon after the carpenters got at work, the enemy commenced a fire upon this place which induced them to break off and return to New York the consequence has been that the vessels still remain in the state in which the carpenters left them in Oct last that is with their decks and sides all tore up I have not deemed it advisable under all circumstances to do anything to them this winter as the weather is unfavorable and the days are short, consequently the men would work under disadvantages that will be removed in the Spring Moreover I do not wish to incur expense that may prove useless for unless we get possession of the other side these vessels can be of no use to us consequently any repairs put upon them would be thrown away I have however contracted for all the stuff requisite to repair them to be delivered here this winter and in the Spring I shall be in a situation to complete their repairs and mount their guns in a few weeks if there should be a prospect of gaining the opposite shore, if there was no other obstructions the ice in this River would prevent our getting into the Lake before the first of June and as I shall be able to get out of Sackets Harbour about the first of April I contemplate bringing all the carpenters from that station to this by water which will give us an abundance of time to fit these vessels or build the Brig at Erie or both as circumstances may require

"The vessels here have been hauled into a small creek in rear of Squaw Island where they are safe from the ice and the shot of the enemy and I am erecting a Block House to mount four guns on the top, besides musquetry, near the vessels which will enable our men to protect them completely even if the enemy should attempt to cross over with an intent to burn them Both officers and men have suffered very much this fall and winter for the want of quarters they have been living about in the woods in small huts made of the leaves of trees, ever since they arrived on this station, and Lieuts Elliott and Angus have not been able to procure quarters for them the consequence has been that we have lost many by sickness and a number by desertion I am only astonished that so many have remained true to their Country under all the privations which they have suffered I am in hopes to get both men and officers into comfortable quarters by the 15th inst as the building for their accomodation is now under cover and will be ready I think by that time to receive them when they all will be more happy and more healthy The wounded officers and men are doing very well Midshipman Graham has suffered an amputation of his leg

"I am making arrangements for collecting all our stores into one building which are now distributed in almost every direction for twenty miles around owing to the great confusion which has prevailed upon this frontier ever since the war

"I have been induced (as I informed you by a former communication) in consequence of losing the services of so many officers by death and wounds, together with the conduct of Lt Angus, to appoint Midshipmen Dudley and Holdup to act as Lieutenants which I hope you will approve of

"I hope to be able to arrange my business on this station so as to leave here for Sackets Harbor next week from which place I will write you the state of my command there "

(Captains' Letters, Navy Department MSS Washington)

From Col. Claus to Major James Givins

The messengers appointed by the Six Nations to solicit the co-operation of the Indians in Lower Canada, who apparently made the long journey on foot, were provided with letters to the resident agents of the department at York and Kingston, to facilitate their march To Major James Givins, the agent at York, Colonel Claus wrote

Fort George, 16 Jany 1813

"Sir,

"The bearers seven men of the Six Nations, are Messengers to the Seven Nations of Canada you will give them what assistance you can in provisions

"I wrote to you a few days ago enclosing a letter to Mr Askin[1] at Mackanac, should no opportunity offer very soon trusty Indians must be sent as an answer is very soon required"

(Claus Papers, Copy by Miss Catherine Claus.)

From Col. Claus to Capt. John Ferguson

His letter to Captain John Ferguson, the agent at Kingston, was more urgent

Fort George, 17th Jany 1813

"Sir,

"The bearers, 7 men of the Six Nations are on a mission to the Lower Province, you will please give them every assistance in your power in provisions, & should any of them be taken sick on the road, you will furnish them with a paper requesting of the Inhabitants to assist them with a slay from post to post As we have no station lower than Kingston, Gen Sheaffe has written to Col Vincent to give them letters to the different Military posts between Kingston and Montreal to supply them with provisions"

(Claus Papers, Copy by Miss Catherine Claus)

From Col. Claus to Prevost's Secretary

Colonel Claus having informed General Sheaffe that interest had become due upon the money derived from the sale of the lands of the Six Nations on the Grand River, which had been invested for them in England, he brought the matter to the attention of Prevost's military secretary in a letter from Fort George on January 17

"I am directed by Major General Sheaffe to transmit to you the accompanying Letter from Colonel Claus, Dy Supt Genl of Indian affairs, and to request that it may be laid before His Excellency the Governor in Chief

"It is impracticable to obtain the money in this Province to satisfy the claims of the Indians It has been due to them several months and even if cash could be got for Col Claus's bills as Trustee, a loss would be sustained owing to the rate of exchange that Government, it is conceived, would not allow to fall on the Indians Major General Sheaffe therefore begs to propose for His Excellency's consideration that the sum of   be remitted to the Dy Commissary Genl, about five hundred of which to be in silver and the remainder in the smaller army notes, to be paid into the hands of Colonel

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[1] John Askin Jr storekeeper for the Indian Department at Mackinac and St Joseph

Claus for his Bill for that amount, as Trustee for the six Indian Nations."

(Sheaffe's Letter-book.)

From Capt. Loring to the Military Secretary

As the local stores were no longer able to supply the soldiers with the small articles needful for cleaning and mending their clothing and accoutrements General Sheaffe recommended that they should be furnished in future by the commissary officers. Captain Loring wrote on the subject to the military secretary from Fort George on January 25.

"Major General Sheaffe has directed me, in reference to an order for the officers to procure supplies of necessaries for their men from the Lower Province, to request that you will lay before His Excellency the Commander of the Forces his suggestion that supplies of clothing and necessaries for the Troops here may be sent up by the Commissariat to be issued. Major General Sheaffe is induced to propose this measure from a conviction that the procuring the articles necessary for the soldiers comfort from so great a distance, particularly at this crisis would be attended with much more difficulty and even risk than the Individuals commanding companies could be enabled to surmount or bear the heavy responsibilities of."

(Sheaffe's Letter-book.)

From Charles Askin to His Father

The tranquility of the Niagara frontier was scarcely disturbed during the winter months by even a rumour of hostility. On the second day of February Charles Askin wrote a letter from the head of Lake Ontario which is here transcribed.

"Dear Father,

"I wrote to you three or four days ago and enclosed some newspapers to you which I left at Queenston to be forwarded from that. I have still one left which I shall now inclose in which you will see the fameous General Smith's Official Despatch respecting the battle at Fort Erie, which is one of the most ridiculous things I have read for a long time past.

"I was much rejoiced to hear of the great Victory obtained over the Enemy at River Raisin. From what I have learnt General Harrison is supposed here to be on his way to Detroit. Some troops have left Buffaloe some time since to reinforce his Army. Its a great pity we have so few regular troops here that we can spare but a Very small number to assist you above, one hundred and forty of the 41st Regt passed this on their way to Amherstburg to-day I am afraid no more are going up for some time

"I am now settling all my business so as to have my affairs in such a state as to be able to leave home (if necessary) for some months without suffering much by it

"I find I have an acct in my books against James and another against Alex both of which I now inclose I think I owe Theresa something I shall make her acct soon and send it to her probably James may not owe me although I have nothing in my books to his credit I cannot recollect now how I paid him the difference between the value of Eclipse & the Colt I gave him, but he may remember I should like to know if any of the Cider sent down belonged to him and if he has any acct against me

"Mr Robert Dickson arrived from Lower Canada three days ago, its thought that he is to have Command of a large body of Indians—the latest news we have from below is that the French were obliged to leave Moscow

"I inclose Pondrie's note and Thomas Collin's which I have found among my papers

"Please give my love to my Dear Mother my Brothers and Sisters and believe me to be Dear Father, &c."

(Burton Historical Library, Askin Papers.)

From Gen. Sheaffe to Sir George Prevost

The pay and maintenance of the militia called out for the defence of the province was a charge upon the provincial treasury which had long since been drained and large advances had been made by the Deputy Commissary General to meet the most urgent demands for civil as well as military expenses These were ultimately met by drafts upon the Military Chest which it does not appear were ever repaid by the province A letter from Sheaffe to Prevost written at Fort George on February 8, shows the comparatively large sum required for these purposes

"I have the honor to acquaint you that the Dy Commissary General has handed me a statement for the several sums advanced by him to this date for Provincial Services in Upper Canada, amounting to £25000 Army Pay I am therefore to request that you will be pleased to grant your Warrant to that amount in favor of the Receiver General of the Province And as a farther sum will be required immediately in aid of the civil chest I beg you will be pleased also to grant another warrant for £12000 Army Pay and that the Commissary General may be directed to forward the amount to the

Receiver General The average Provincial expenses arising out of the War with the United States, may be stated in ROUND sums, as follows

Amherstburg and Detroit	£ 2,000	per month
Long Point	500	" "
Fort George and Dependencies	5,000	" "
York	800	" "
Kingston	2,000	" "
Prescott & Eastern District	2,000	" "
Total	£12,300	

Exclusive of Rations of Provisions"

(Sheaffe's Letter-book.)

Letters from Colonel Proctor

Letters from Colonel Proctor, commanding at Detroit and Amherstburg contained a very urgent appeal for a small reinforcement which in fact was already on the march, and disclosed an alarming situation. In the first of these he said:

"If you do not send me as many as will replace those who are in consequence of the affair of the 22d (at the River Raisin) unfit for service, I mean of the 41st Regt. very serious Consequences may follow the Enemy's advance, which should be expected and immediately. We shall do our duty, but that will not save the Country, tho' it may our Credit."

In the second letter written three days later, he announced that the hostility and treachery of some of the inhabitants of the Michigan territory had induced him to take most drastic measures to enforce obedience.

"To preserve the Territory therefore," he said "I found myself under the absolute necessity of declaring Martial Law therein, I have also found it necessary to order some of the more suspicious and turbulent characters to quit the territory, among whom are some British subjects. They will proceed to Fort George under an escort and there will be at your disposal tho' I shall take upon me to make some remarks respecting some of them."

Among these persons deported from Detroit were Chief Justice Woodward, who had been retained in office, and Colonel Elijah Brush of the Michigan militia, whose wife was a sister of Charles Askin.

Captain Loring wrote from Fort George on February 12 to Colonel Baynes, the adjutant general:

"I am directed by Major General Sheaffe to forward to you the two accompanying Letters from Colonel Procter together with a copy of the Resolutions of a Party of the Inhabitants of the Territory of Michigan, referred to by him.[5] The Papers were brought express by Mr. Mackintosh who who met Mr. Dickson and Captn. Norton on their route to Amherstburg and was informed by them that about a hundred of the grand River Indians were assembled and ready to march. He afterwards stopped at the house of Mr. Chew of the Indian Department by whom an express was sent for those Indians to proceed immediately to Amherstburg and directions have been sent up for as many more to follow them as can be assembled. Orders have been likewise forwarded by Lt. Col. Bostwick of the Oxford Militia who happened to be here for the Middlesex, the Oxford and Norfolk Regts. of Militia, to march immediately under Colonel Talbot to reinforce Colonel Procter.

"Major General Sheaffe desires me to say that he does not deem it prudent to detach any farther portion of the Regular force from this line, the Enemy being in great force and there being a bridge of ice between us. The Militia of this District are called in."

(Sheaffe's Letter-book.)

From Charles Askin to His Brother-in-law

Naturally Charles Askin took considerable interest in the fate of his brother-in-law, who seems to have received better treatment than his fellow prisoners. On February 23 he wrote from Queenston to his father:

"I wrote to you on Monday last by Mr. Gain in answer to three letters I lately had the pleasure of receiving from you. Mr. Brush is still here. The other Citizens of Detroit are in Niagara and are hardly allowed the liberty of walking the Streets. I am happy to say the behaviour of Mr. Brush has been different and he has had the privilege of coming up and going down from this to Niagara when he pleased. I have staid here several days on his account tho' I was anxious to get home. I believe I shall go to-day. Alex. Hamilton will do any thing he wishes therefore he will be at no loss when I am gone. I have paid Mr. Brush sixty-one dollars for you which he says was the amount of the 4 Doobloons you got of him and I have paid John Meldrum[6] twenty dollars for Alex which I must beg he will return to me as soon as possible as I am very much in want of money, the remaining thirty dollars which Alex. Owes Mr. Meldrum he should pay to some of his friends at Detroit, I suppose to his Wife or his Father The detention at Niagara of these people from Detroit will be attended with a great deal of expense to them, but it will teach them to behave themselves, a little punishment will do them no hurt

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[5] See Historical Collections of the Michigan Pioneer and Historical Society Vol. XV pp. 241-2.

[6] One of the prisoners.

"We were for some time in great hopes of seeing General Harrison and his Army here,[a] but from what I can learn I do not think he will be ready to come forward for some time to Detroit and its probable he will not dare to advance at all.

"We see no troops opposite this and I believe the enemy have not many in Fort Niagara

"Col Procter & Col Vincent are promoted and are both Generals now

"I am sorry to say Lt King of the Royal Artillery died yesterday morning at Black Rock or Buffaloe of the wounds he received in the action on the 28th Novr last, he was an active and gallant officer"

(Burton Historical Library, Askin Papers)

From Capt. Loring to the Commandant at Kingston

A letter from Captain Loring to the commandant at Kingston, written at York, gave orders for the deportation of the two most favoured of these prisoners while the others seem to have been detained as prisoners of war, some of them being sent to Quebec for confinement

"I am directed by Major Genl Sheaffe to inform you that on the arrival of Colonel Brush American Prisoner of War, and Mr Woodward, the late Chief Justice of the Territory of Michigan, at Kingston (who proceed from hence escorted by Lieutenant Johnston of the Canadian Regiment the bearer of this Letter) they are to be crossed over to the American shore together with their Horses should they require to take them, this however I do not imagine will be the case as they are now endeavoring to dispose of them

(Sheaffe's Letter book.)

From Lt.-Col. Bruyerss to Sir Geo. Prevost

After having visited the Niagara frontier for a few days, Lieut Colonel Bruyerss made a careful report upon its defences to Sir George Prevost which was written at Kingston on February 13

"I would have written to Your Excellency from Fort George to report the state of that frontier," he said, "but the extreme illness of Major General Sheaffe during the time I

was there prevented my communicating with him on business until two days previous to my departure in order to obtain his approbation and concurrence for the measures of defence which I proposed to adopt for the defence of that line.

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[a] As prisoners of war

"The work at Fort George is in a very ruinous and unfinished state; fortunately the line of curtain opposite the American shore was completed last fall and has been the means of protecting the troops during the severe cannonading that took place at that time. It will be indispensably necessary to complete this fort as a field work as soon as the season can possibly admit of removing earth to form the parapet of good sod work of sufficient height and thickness to resist battering from the opposite shore. It will further be very desirable to diminish the line as much as possible by cutting off the present work on the south east front in order to reduce the extent of the fort which is rendered very weak by enclosing too large a space of ground; it will then become much more compact and defendable; at the same time it will decrease the labor and expense necessary to its construction.

"Major General Sheaffe has approved of the manner in which this work is proposed to be done, which I will have the honor to more fully explain to Your Excellency on my arrival at Quebec. Splinter-proof barracks to contain about 400 men will be required to be constructed in the rear of the curtains to secure them from the effects of shot or shells. Stabling for the artillery horses with barracks for the drivers and Royal Artillery must also be provided within the fort. The present blockhouses are so much exposed that it will be necessary to take down and remove the upper story of these buildings and to lower the whole to the level of the proposed terre pleine. They will then be sufficiently secure to contain the ordnance and commissariat stores for the use of the garrison. The powder magazine can only at present be made temporary, constructed of log work well covered with earth. The public buildings near the river at Navy Hall should all be removed as soon as possible and rebuilt in a place of security at some distance from and in rear of the fort. The stores they contain and the buildings themselves are so exposed to immediate destruction that no delay should take place in this service. Gun sheds are required for the car-brigade and field guns in the fort. An hospital for the troops to be built out of range of the enemy's guns in rear of Fort George, to consist of four wards for one hundred patients with a surgery and surgeon's quarters is strongly recommended and applied for by the medical department; the sick and wounded are at present accomodated in a church[1] within range of the opposite batteries.

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[1] St. Mark's.

"There are six detached batteries containing eleven pieces of ordnance of different natures between the lake and Fort George; four batteries with five pieces between Fort George and Queenstown. Two batteries with two guns on the mountain at Queenstown. Two batteries with three guns at Chippawa. Three batteries with three guns opposite Black Rock below Fort Erie. This number of detached batteries may at first sight appear superfluous and unnecessary, but the commanding positions that each of them occupy are so very essential that it is not possible to diminish or reduce them without making the point so reduced the place for debarkation for troops. The only object necessary to be accomplished is to secure these batteries with a strong line of palisades in the rear to guard against surprise or sudden attack. This would have been done last fall but regulars and militia were so constantly harassed and employed to protect this extensive line that they had not a man to spare either to prepare the palisades or fix them. Small temporary magazines constructed of log work covered with earth to contain each a few barrels of powder are required for the service of these batteries. I have directed these magazines to be immediately constructed and the batteries to be enclosed.

"A tower or small redoubt to command the entrance of the river is essentially necessary to be erected on Mississagua Point.

"It is also requisite that the work at Fort Erie may be continued and completed as early as the season will permit. Altho' liable to some objections it will in my opinion be the most expeditious and best system to finish what is already begun than to take up a new position. The battery to protect the front may be constructed with sod work, the guns to be mounted on traversing platforms and elevated as much as possible to guard against the commanding batteries on the opposite shore. A magazine will be required within the fort, which may in the first instance be built with timber in a temporary manner that no delay may take place to secure the powder.

"Accomodation is very much wanted for the troops on this part of the Communication, particularly officers' quarters, so many of the houses on this line have been destroyed by fire that it becomes a very serious deprivation and quarters must be built to lodge the men. Splinter-proof barracks must be constructed within the fort similar to what is proposed at Fort George. The number of men for the defence of this line must indispensably be augmented to afford any reasonable expectation of maintaining the positions on this frontier. The distance from Fort George to Fort Erie is thirty six miles.

Twenty-eight miles of this distance is accessible and favorable to disembark at any point from the opposite shore. I have arranged with Major General Sheaffe relative to the most material of the services herein mentioned."

(Dominion Archives, C 387, pp. 15-18)

Militia Orders

General Sheaffe had been disabled for several weeks by serious illness but had sufficiently recovered to go to York for the opening of the winter session of the provincial parliament. He was still much enfeebled and his mind was dulled by disease. Sir George Prevost made a hasty journey from Montreal in a sleigh as far west as Fort Erie inspecting the troops and fortifications and even "visiting the advanced positions which the solid state of the ice at the northern extremity of Lake Erie had rendered it indispensably necessary to establish to prevent those incomplete & open batteries from being surprised or taken in reverse."[2]

Movements of troops on the opposite side of the Niagara actually caused so much alarm that it was considered necessary to call upon the militia to reinforce the troops on duty.

'Head Quarters, York, 16th March, 1813.

"M. G. Orders.

'His Honor Major General Sheaffe is pleased to direct that the five Lincoln and the second York Regiments of militia are to furnish with all possible expedition three companies each for duty on the Niagara line.

'Agreeably to the new militia law there will be one captain, one lieutenant, one ensign and three sergeants to each company and it is not to exceed fifty rank and file. The commanding officer of each regiment and the other officers whom he may find necessary to call on for the purpose are enjoined to use every exertion for the assembling and march of these detachments to the nearest point of the frontier.

'His Honor Major General Sheaffe being determined to notice with the utmost severity any neglect or disobedience which at such a juncture may endanger the safety of the province but he trusts that the spirit which rescued the country at Detroit and at Queenston still so generally and powerfully prevails that it will save His Honor from the painful task of censure and leave him nothing to bestow but praise and commendation.

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[2] Prevost to the Duke of York, Quebec, 20 March 1813, C 1220 p. 233.

"By order

"Æneas Shaw

"Adjt. Genl. Militia."

(Dominion Archives, Militia Papers, M.D. 32.)

From Col. Vincent to Sir Geo. Prevost

Active hostilities began with a lively artillery duel between the batteries on opposite sides of the river at Black Rock and near Fort Erie on March 17, and the companies of the Second Lincoln and Norfolk Regiments of militia which had been stationed along the shore of Lake Erie, as far up as Point Abino were hurriedly marched down to resist a landing which was supposed to be imminent but was not attempted.

Colonel John Vincent, commanding at Kingston, was transferred to Niagara to command the division on that frontier, with the local rank of brigadier general. He was well known to many of the inhabitants from being previously stationed at Fort George and possessed their entire confidence and esteem.

Soon after his arrival there he projected an assault upon Fort Niagara, which he believed could be easily taken but this was disapproved by Sheaffe as being contrary to the strictly defensive policy advised by the governor.

"The last information of the Enemy at Niagara states their number much lower than it had been supposed to be," he wrote to Prevost from York early in April. "Two hundred are said to form the Garrison of Fort Niagara. This intelligence has encouraged Brigr. General Vincent to propose a plan for an attack on it with four hundred men, for which purpose it seems that more boats are required, than we can at present command, besides it was thought a necessary part of the plan to employ the aid of Indians in its execution. It appears to me that such an operation, if we possessed the means of effecting it, would not accord with the principle adopted by yr Excellency with regard to Sackett's Harbour, as communicated in yr private Letter of the 18th March which has arrived since I began this Letter."

(Sheaffe's Letter-book.)

List of Tavern Licenses

A list of licenses issued for conducting taverns and shops in the Niagara District contains several familiar names.

"Account of the tavern licenses issued in the District of Niagara between the 5th Jany and 5th day of April, 1813

"April 5th

John Knox
Thomas Powis
James Bunting
John Smith
John Daley
William Wynn
Robert Waddle
Peter Welch
Paul Shipman
William Terryberry
John Emery
Mary McBride
Samuel Swayze
John Palmer
Edward Brady
James Henry
Charles Anderson
John Halley
William Vanderlip
Abraham Markle
Frederick Anchorm
Nathan I Fowler at £3 each,

Total amounting to sixty-six pounds Halifax

Isaac Swayze

Shop Licenses

John Young
Francis Crooks
John Dorman
John Grier
William Crooks
James Crooks
John Elbert
Daniel Shunck
Elijah Secord
Andrew Heron
John Baldwin"

(Dominion Archives Sundries, U C 1813)

From Lt.-Col. John Warren to Major-General Shaw

A veteran officer in the militia, who was also commissary at Fort Erie, found it necessary to resign his commission and was succeeded by his son, John Warren, Junior.

From Lt. Col. John Warren to Major General Shaw

Fort Erie, 7th April 1813

Sir

The duties of the Commissariat at this post since the commencement of the war have increased near ten fold and require every attention that myself and two assistants can give. The rapid decline of my health for the two months last past, had put it out of my power to attend to the station that I hold in the militia with that strictness that it requires. I am therefore constrained to request that my resignation of Lieutenant Colonel of the 3rd Regiment of Lincoln may be accepted.

(Militia, U.C., 1813)

From Charles Askin to His Father

Charles Askin diligently collected news for his father's information. On April 23 he wrote to him from "Mountain 3 miles from Queenston."

'I have long anxiously wished for an opportunity of writing you to return thanks for the loan of seventy five dollars you were so kind as to send me by Mr. Pattinson, the receipt of which relieved me from small embarassments which the loss of the hundred dollars last winter would have thrown me into but I sincerely hope you have suffered no inconvenience by sending me that sum or I shall regret having got it.

"I had the pleasure of receiving a few lines from you some days ago desiring me to send up Eclipse[1] which I will do as soon as he is in a condition to perform the journey and that I have a good chance of sending him. Forage for horses is hardly to be got, there has been so much consumed by the Field Officers' horses, Dragoons Do and the horses of the Carr Brigade and not so much hay cut last Summer as there used to be in other years, for many were doing duty as Militia men and lost most every thing they had but this has been the case at Sandwich as well as here. Flour is 10 Dollars per barrel which I think is low considering the times. I see in a newspaper an extract from a Boston Paper, which says that every barrel of flour sent to supply Harrison's Army cost one hundred and twenty dollars when delivered to the Government of U.S. I believe it must be very expensive getting flour to where his Army are stationed, but still do not think it can cost so much.

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[1] A riding horse

"The American Government have accepted the Mediation of Russia and the Ambassador from the Country on his arrival in the United States was well received. An American Officer who came over to Niagara two days ago with a flag of Truce says that an Express had gone to Sir John Borlase Warren, who has power to treat with them, but when the Express arrived at Sir John's Station, he had put out to Sea, the dispatches were opened which were for him by the officer next in Command, who immediately sent a cutter out after him, and in three days Sir John returned and sent a dispatch immediately to Washington. The officer says that an Armistice for six months was requested which was the occasion of the communication between his Government and Admiral Warren, this will probably be the forerunner of a Peace. If they wish for peace so much the better, if not I think we will soon be prepared for them here so as not to dread any force they can bring against us. part of the 8th Regt. have arrived at Niagara and the remainder of them are on their way up here, the 104th Regt. were at Kingston some days ago on their way up. part of the Glengary Light Infantry regt. are here and the rest of them coming, and three Companies of Voltigeurs, when all these get here we shall have a very respectable force. The 41st are at Fort Erie under Orders for Amherstburg.

"They are recruiting here for a Troop of Dragoons, a Corps of Drivers, 2 Companies of Artillery and a Corps of Artificers which to complete will take four hundred men, who are to serve during the war with the United States, these Corps interfere very much with the Regiments of Incorporated Militia which we are attempting to raise here and to one of which I belong. I have been as successful in getting men as almost any one yet have not got my complement. I think if I had Alex. Askin with me I should get them in two or three days for I think he would make an excellent recruiting officer.

"The whole of the immense Army taken by Bonaparte into Russia has either been taken or destroyed, except a few officers who made their escape with him. Genl. Yorke who commanded 30,000 of the Prussians in Bonaparte's service was forced to enter into a convention to save himself and men, one of the Articles of which was that his army are to occupy a District in Prussia which was to be perfectly neutral and that if the King of Prussia did not ratify the convention they were not to fight against the Russians for 2 months from the date of the Convention. Mr Barlow the American Minister at the Court of France died on the Road between Dresden and Paris of the Fatigues of his Journey to and from Wilna, he had gone to congratulate Bonaparte on the taking of Moscow. One of Barlow's attendants, who did not wish to perform the Journey made his escape to Heligoland, where he was taken up as a spy and in his possession some papers were found of consequence, among which was a proposal from Bonaparte to Madison to guarantee the Presidency of the United States to him for life on condition of his declaring War against Great Britain. Bonaparte also complains of the want of energy in the American Government and wishes it subverted. He offers to send over 3,000 French Officers which he directs how to be introdued into the American Army without creating any suspicion offers also to lend him money and a few frigates—that Mr Barlow is dead I believe but whether the rest of the story is true I have some doubts, so many stories of this kind are now made and the people have been so often deceived that should all this be a fact they will give no credit to it in the States.

"By a letter an extract from which I have seen in a Newspaper, from an officer in Harrison's Army dated 28th Jany, it appears that only 27 of Winchester's Army made their escape from the River Raisin on the 22nd Jan."

(Burton Historical Library, Askin Papers)

Petition to General Vincent

The capture of the seat of government and its occupation for several days by an overwhelming hostile expedition at the end of April was a serious disaster causing great discouragement. A ship of war on the stocks, larger than any then afloat on Lake Ontario, with the supplies necessary for its completion, and the buildings of the dockyard, the garrison and public offices were destroyed. The civil administration of the province was dislocated and all communication with Kingston and Lower Canada was cut off for about two weeks. The movement of much needed reinforcements already on the march was delayed. The situation appeared so alarming that the most influential magistrates united in preparing an address to General Vincent suggesting resort to martial law to maintain order.

"To Brigadier General Vincent-

"At a time when the Enemy has possessed himself of the capital of the Province and the President (is) driven from it, the Judges of the Court of King's Bench under control of the enemy, the public records burnt and all benefit of the laws suspended or annihilated and the Enemy momentarily threatening an invasion Such a state of things could never have been contemplated by our Legislature otherwise it would have been provided for by the enactment of more efficient Laws. We therefore as men of some standing and weight in this Society and holding real property to a great extent, humbly offer it as our Opinion that under existing circumstances self-defence is paramount to all other considerations and at present recourse only to the civil laws of this Country would be unavailing and paralyze the best exertions of His Majesty's loyal Subjects, endanger our existence as a people and government, the safety of which ought to be supreme law When we observe a supineness or want of alacrity in some of our Militia, traitors joining the Enemy, and some fostered among ourselves, reason and argument become nugatory. A regard to the interests of our Sovereign and the deliverance of these Provinces from the domination of the Enemy would well warrant the immediate adoption of Military law administered with a due regard to the habits and feelings of His Majesty's loyal subjects but aware that in your situation, it might not be thought expedient to promulgate the same, but placing the most implicit confidence in your discretion and ability, we would humbly presume to advise that you would take upon yourself to adopt such measures as in your own judgment would tend best to the defence of the Country and in the exercise of such measures should individuals find a more rigid system adopted that in calmer & better times might be complained of, yet the necessity of such must now be apparent to all and the Agent will meet decidedly with his Sovereign's approbation and indemnity from a discerning public

'Should eventually contingencies occur which might expose you individually to animadversion from such measures, we pledge ourselves upon all occasions hereafter to come forward and defend the necessity thereof and we hesitate not to say we will jointly and individually be responsible for any pecuniary deterioration your private resources may sustain thereby

"W Dickson
Js Crooks
John Symmington
R Nichol
Thos Dickson
A McDonell
Jno Powell
Jos Edwards

A Cameron
Robt. Campbell
Amos Chapman
S Street
T. Cummings
T. Clark
D Secord
George Turney
Robt Grant

"Niagara 8th May 1813"

From General Vincent to General Sheaffe

By that time the squadron, which had been employed in the expedition, which had taken York, had crossed the lake and landed the troops on board at the Four Mile Creek in rear of Fort Niagara, where they were joined by another considerable force transported in boats from Oswego and were encamped in the woods out of sight. The next ten days were employed in making arrangements for an attack upon Fort George in conjunction with the ships of war which were sent to Sackett's Harbour to bring up reinforcements to make success certain by weight of numbers The arrival of this fleet could not be concealed from observation and was immediately reported by General Vincent in a letter to General Sheaffe, who was then at Kingston.

Fort George, 20th May, 1813

"Sir

"I have to inform you that seven vessels appeared on the lake about sunset last night, and this morning we discovered at anchor two brigs and fifteen smaller vessels with each a large batteau

"At daylight they were seen in the act of disembarking men

"I have every reason to expect an immediate attack especially from a movement the enemy made yesterday, bringing a strong force from their left to the fort and the encampment in rear of it.

"At all events I do not think a moment should be lost in giving you the information of this portion of the enemy's fleet being at this quarter.

"I have made no change in the distribution of troops since my return to you of yesterday except that I have ordered the detachment with the six pounder at Chippawa to Queenston"

From the Governor-General to Vincent

Vincent had then received a letter from the governor-general, informing him that Sir James Yeo and other officers with 450 seamen had arrived for service on the lakes and were on their way to Kingston

"This with smaller reinforcements,' he added, "will, I hope, enable us to regain our ascendency on Lake Ontario I am also strengthening the posts in that Province by additional troops and I shall not fail to supply you with whatever you may stand in need of as soon as your wants are made known to me Under such circumstances I trust I may rely upon a continuance of your best exertions for repelling any attempt of the enemy upon your frontier & for preventing them from gaining a footing in the Province "

From Prevost to Vincent

After writing in these terms from Montreal Sir George Prevost went forward to Kingston, where he received Vincent's reply and wrote to him again

"Kingston, 24th May, 1813

"Sir

"I was early this morning honored with your despatch of the 19th inst [1] The confidence you repose in the steady zeal and high spirit animating every individual on the frontier committed to your charge is highly gratifying as such feelings cannot fail in producing the glorious result you anticipate from the attempts the enemy may make upon your position In ten days our flotilla will be ready to go forth to dispute the ascendency on Lake Ontario with the enemy, a series of exertions have led to this state of forwardness in our naval preparations I am much mistaken if Commodore Chauncey is not over-matched Our little fleet will consist of the Wolfe carrying 4 68 lb carronades and 14 18 lb long guns The Royal George, the Moira, the Regent and Sir Sidney Smith are as well manned

"You will on all occasions express frankly your sentiments upon all subjects connected with the important duties you have to perform and in return you will find in me a readiness to remove or alleviate the difficulties you have to contend with to the extent of your reasonable expectations from the scanty resources His Majesty's Government have hitherto placed at my disposal "

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[1] This letter is printed in the "Documentary History 1813" pp 286-7

From Sir Geo. Prevost to Capt. Norton

Vincent had reported that Captain Norton, "whose anxiety and zeal for the public service is so constantly conspicuous," was encamped on his left towards the lake with about one hundred Indians and Prevost wrote to Norton on the same day a private letter to stimulate his efforts

"Kingston, 24th May, 1813

"Sir

"It is with very great satisfaction that I have heard from different quarters the high commendations which have been passed upon your courage and activity since the commencement of the war with America. I earnestly recommend to you a perseverance in the same well example which you have hitherto afforded to the brave warriors whom you have brought into the field and a continuance of your exertions to keep up and to increase the numbers of a description of force so truly formidable to the enemy and so capable of sustaining the good cause in which we are engaged.

"Accept my thanks for yourself and those whom you lead and the assurance that I will take every opportunity of making known your exertions in the cause of your Great Father to His Royal Highness the Prince Regent"

From Gen. Vincent to the Officer Commanding at Kingston

At the end of a destructive bombardment of his position and in anticipation of an immediate attack by an immensely superior force Vincent addressed a letter to the officer commanding at Kingston

Fort George, 26th May, 1813

"Sir

"I have to inform you for the information of the Commander of the Forces that the whole of Commodore Chauncey's fleet are at anchor off the American Four Mile Creek

"They commenced a cannonade on our fort at daylight this morning and I am sorry to state that every building in the fort is at this moment burnt down except the place that was formerly the magazine and the new casement The town has as yet escaped their fire but I expect to hear every moment that they have opened their guns against it

"I am fully confident that it is the intention of the enemy to attempt making a landing this night or to-morrow morning on my right and left and I understand from a deserter who came over last night that the order was out for the attack to take place this morning and to have two days provisions

dressed for that purpose. I also understand from this man that the enemy's strength is to be between seven and eight thousand.

"I have therefore to hope that troops are on the way to my assistance.

"Everything that is possible shall be done for the support of this place, but if I am overpowered I shall take up a central situation and wait there for the support I have every reason to expect from Kingston.

"I have at this moment received the Adjutant General's of the 16th inst. and as I am much hurried I have requested Colonel Myers to write him fully on the present situation of this post."[1]

From Sir Geo. Prevost to the Duke of York

Vincent's letter of May 20 was a principal factor in inducing Prevost to attempt a diversion in his favor by making a premature attack on Sackett's Harbour for which his means were inadequate and failed to gain complete success. Soon after his return from that adventure he learned that Vincent had been forced to retreat and made a report on the subject in a letter addressed to the Duke of York, the Commander in Chief.

Head Quarters, Kingston, U. Canada, 3rd June, 1813.

"Sir,

"I had the honor of informing Your Royal Highness in my despatch of the 1st inst. of the appearance of the enemy's fleet off Niagara, & of the effect of the cannonade of their ships & batteries on Fort George. I have now the honor of acquainting Your Royal Highness that on the 27th ulto. the enemy succeeded in effecting a landing about two miles from that fort under the fire of their flotilla & batteries with a force so very far superior to any that we could bring against them that notwithstanding the most gallant & determined resistance on the part of His Majesty's troops under the command of Colonel Vincent, he was unable to maintain his position on that frontier & obliged after falling back upon Queenston, to retire with the whole army which he had collected from Chippawa & Fort Erie to the head of the lake.

"I have great satisfaction in stating to Your Royal Highness that by the report of Colonel Vincent I find that this part of the frontier was not abandoned until every possible exertion had been made to retain it & until the forts & batteries

had been rendered at least for a time a useless acquisition to the enemy by their destruction and that of the ammunition which could not be carried away Notwithstanding the unequal contest which was so long and so gallantly supported by a handful of His Majesty's troops against an overwhelming force, the army has not been very considerably weakened by the loss they have sustained & they were enabled to retire without molestation from the enemy to a position at the head of Lake Ontario where Colonel Vincent will endeavor to make a stand until I shall have it in my power to reinforce him or until circumstances shall oblige him further to fall back. Conceiving that the appearance of the fleet under Commodore Sir James Yeo off the position occupied by Colonel Vincent might give additional consequence to his troops, I have embarked the remainder of the 8th Regiment, consisting of about 200 men with which & a supply of clothing, ammunition & provisions the fleet sailed this morning.

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[1] This letter is printed in the "Documentary History 1813," but unfortunately misdated May 20, pp. 237-9.

"I sincerely regret that I cannot add to this despatch a report of the arrival of any portion of the troops announced to be on their way to Quebec from Cadiz Malta & the West Indies"

(C 1220 pp. 385-6)

Extracts from the Quebec Gazette

The undaunted spirit, that still continued to animate the small body of men under General Vincent's command, in the face of very alarming loss, is well shown in a brief account of the battle of the 27th May, published in the Quebec Gazette on Thursday, July 7.

The following extracts are from a Letter of an Officer of rank in the gallant division of the army under Brigadier Gen Vincent dated 31st May

'Our little division has taken up a fine position near the head of Burlington Bay which Brig Gen Vincent proposes to occupy until favorable circumstances allow to our gallant little band assuming offensive operations The conduct of the troops engaged on the 27th was beyond all praise, and probably few instances are to be found in Military annals where 700 men successfully opposed 7000 supported by a tremendous fire of shot and shells from the shipping which extended upwards of two miles along the coast taking all the streets of the town Yet under these disadvantages our gallant detachment advanced in line on the plains in the hope that the great disparity in numbers would induce the enemy to make a similar movement, but the shower of shot and shells in which they alone trusted was their only return.

After a full hour's halt, we deliberately and proudly fell back upon Queenston, where being joined by the detachments at Chippawa and Fort Erie, under Lieut.-Col. Bishop, we marched upon this position. The movements of the troops were performed with the coolness and precision of a parade. The Militia behaved most gallantly, and have by their subsequent conduct evinced in the strongest manner, that if there are some bad subjects among us, that there is still a preponderating majority of men zealously devoted to their country's cause. The best spirit and confidence in our ultimate success prevails. The enemy have spread a report of an intention of what he calls intercepting us. If he attempts it here, he will perhaps catch a Tartar. His Ship Guns will avail him nothing against our bayonets."

From Gen. Vincent to the Adjutant-General

On June 4 Captain Robert McDouall, an aide-de-camp to the Governor-General, arrived from Kingston at General Vincent's headquarters at Burlington Heights, with instructions to him that if he was forced to retreat toward Kingston, to detach a considerable portion of his regular troops to reinforce General Procter at Detroit. Later in the day he received a report from his outposts which induced him to believe that an attack would be made upon his position and in a hasty letter to the adjutant general he remarked: "As circumstances are at present I am determined if possible to be beforehand with them."

Prevost's Reply

This letter was received at Kingston three days later and Prevost promptly encouraged him to take the offensive:

"Kingston, 7th June, 1813.

"Sir,

"Concluding that the presence of our flotilla near your present position with the arrival in it of fresh troops and such supplies as could be procured here, will have had the best effect, I recommend your taking immediate measures for harassing the enemy with your Indians supported by Light Infantry and militia thereby depriving them of the opportunity of exhausting a country you will soon I hope be enabled to re-occupy.

"I send you Major de Haren as an officer well qualified for the execution of such a service. He is accompanied by 250 Indians who are supported by detachments from this garrison. You must organize a corps for this service and the sooner you bring forward the warriors the less disposition will be manifested by them for returning to their villages.

"As soon as Sir James Yeo returns I will make arrangements for the transport of the 2nd Battn 41st Regt. and additional stores and salted provisions.

"Altho' the want of co-operation from the navy and the smallness of the force employed prevented us from obtaining complete success at Sackett's Harbor, still I have had the satisfaction to learn that with the naval stores, the sails and rigging of the new vessels were destroyed in the conflagration. This circumstance will cause a delay in the preparations for increasing the American flotilla."

(C 1221, p. 139.)

From Prevost to the Duke of York

Before this letter was written Vincent had begun his offensive by a night attack upon the enemy's encampment at Stoney Creek, which inflicted such loss upon them that they began a hasty retreat next morning. This was accelerated by the opportune appearance of Yeo's squadron in the lake on their flank. Prevost described these events in an official letter to the Duke of York:

"Head Quarters, Kingston, Upper Canada, 15th June, 1813.

"Sir,

"I have great satisfaction in communicating to Your Royal Highness the successful result of an attack made by a division of the army under Colonel Vincent upon the advanced camp of the enemy on the 6th inst., in which British valor and enterprise were most conspicuously displayed, the particulars of which affair are detailed in Colonel Vincent's report[1] I have the honor to transmit to Lord Bathurst.

"After the retreat of Colonel Vincent from Fort George on the 27th ulto. before an overwhelming force which it was not possible with his small numbers to resist, he took up a strong position at the head of Lake Ontario. The enemy having pushed forward a very considerable body consisting of 3,500 infantry, 250 cavalry, and 8 or 9 pieces of artillery, evidently for the purpose of attacking Colonel Vincent's division, he most judiciously determined upon anticipating them by attacking their camp about eight miles distant. This was accordingly affected a little before daylight on the 6th instant by detachments from the 8th & 49th Regiments, consisting of 700 men under the command of Lieut. Colonel Harvey, the Deputy Adjutant General. The enemy were completely surprised and after a short tho' severe action, driven from their camp with the loss of three guns and one brass howitzer. Two brigadier generals, the first and second in command, and upwards of one hundred officers and men were made prisoners. Our troops having returned to their cantonments with their prisoners and two six pounders, all that they had the means of bringing away, the enemy broke up their encampment and retired with the greatest precipitation to the 40 Mile Creek, from whence I have the pleasure of informing Your Royal Highness, they have since been driven by the appearance of the squadron under the command of Sir James Yeo off that post and by the approach of a body of 400 men pushed on in advance under Major Evans. From this last position the enemy retired in such panic and confusion, that they left in our possession the whole of their camp equipage and considerable quantities of stores, provisions, boats, &c. By the last accounts of them they had retreated to Fort George, where they were concentrating their forces having evacuated Fort Erie and Chippawa."

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[1] See "Documentary History of the Campaign on the Niagara Frontier in 1812," Part II, pp. 8-10.

(C. 1220, pp. 399-400)

Extracts from the Richmond Enquirer

Two letters published in the Richmond Enquirer of 23rd June and 3rd July, 1813, written by officers in the United States army, describe the same events from an opposite point of view.

"Camp at Fort George June 9th, 1813.

"I walked down to the beach yesterday morning to see some English prisoners brought up in boats the night before from a place called Forty Mile Creek. They are very clean smart looking fellows.

"General Chandler had taken the command before our army was surprised by General Vincent. Our camp they say was very badly and loosely laid out. The British advanced silently with fixed bayonets, not a musket was allowed to be loaded for fear of blowing their design. Some officers and men advanced at some distance ahead of them, who hailed, amused, and stabbed some of our sentinels, pretending to give the countersign. The advanced guard was first alarmed by hearing the dying groans of a sentry who had been run through. Five pieces of light artillery were seized and fired against our troops.

"The regiments in the centre and rear never got to the

assistance of those in front. The 16th Regiment when formed was broken through by our cavalry that had cut its way through the 49th British Regiment and could not stop. Owing to that and the darkness some of the companies engaged their own men.

"The inhabitants hereabouts are almost altogether very inimical to the Yankees—the men would scalp them and the women of Newark are loyal enough to eat their hearts and drink their blood. I do not believe wolves are more cruel if they dared. I wonder that the men are not deprived of all the arms in their houses and prevented from going at large. Several of them are married into Indian families and are captains among the savages. Carr[4] (Kerr) Norton,[5] Dickson,[6] and Ferguson,[7] and other Scotchmen are in this predicament. Instead of giving liberty to such wretches who have murdered many a Yankee, I think they ought to be hung up. But the three first named are with the English army or the Indians. Many cruelties committed by these and other white men in India dress are charged to real Indians. I hope these villains will be put to death and their estates confiscated. We can never trust them.

"There is a number of Yankees here from Grand River—they came to obtain parole and say that if our army leaves them, they dare not return to their homes for fear of the Indians. Norton and other Scotch chiefs have lists of suspected Yankees whom they will plunder and murder without remorse. What distresses our friends have suffered for refusing to take the oath and perform militia duty is incredible. Some died in jail and others have been robbed of their property by being fined eighty dollars at every draft. I pity them and I am surprised that General Dearborn (as our officers are), has confirmed the old magistrates in their appointments, who used to oppress and imprison and pillory our American adherents. This conduct annoys us but I suppose General Dearborn has some reason for it."

From a Captain in the 20th U.S. Infantry

The second letter was written by a captain in the 20th United States Infantry, who was present at Stoney Creek.

"Fort George, June 10th, 1813.

"On the first of June General Winder with his brigade left this fort in pursuit of the enemy who had retreated to the head of Lake Ontario. On the 5th in the evening we drove in the advanced guards of the enemy and approached within seven miles of the position they had assumed for defence. We encamped for the night at sunset disposed in various and distant situations and too much scattered for a prompt co-operation in case of an attack. On the morning of the 6th at 2 o'clock whilst darkness still overspread the horizon we heard a firing when the attack was made and a few minutes after the savage yells of the enemies. The 5th Regiment and two companies of the 20th consolidated with it amounting to 250 effective men under the command of Lieut. Colonel Milton had taken the precaution to extinguish the lights of its fires and lay under arms on the place it was to form during the night and in one minute after the alarm was heard was prepared for action. General Winder ordered this regiment to proceed to the point of attack which movement was immediately executed and the action commenced between it and the enemy at distances of between 20 and 100 yards. The firing was maintained for about 15 minutes when the enemy was repulsed and we were ordered to take a position to secure our flank in case of a repeated or additional attack. A company of artillery was stationed not far from the right of the ground we originally occupied and at the moment of our withdrawal was ordered to cease firing under an impression that the whole of the enemy had retreated but a party of them had suddenly dashed in and taken possession of three pieces of cannon and when Chandler and Winder reached the spot they discovered their misapprehension too late to prevent their capture. The small party of the enemy approached under cover of the darkness after our firing ceased and were not discovered until they ordered a charge with bayonets. It is reported that General Winder addressed the enemy saying 'Come on my brave fellows, they are routed.' The 5th Regiment remained at its new position until daylight impatiently waiting for orders. None could conjecture what had become of the Generals. At length it was concluded they were taken prisoners and Colonel Burn of the light dragoons assumed the command. At this time there were the 5th Regiment and about 200 other troops in the field well formed and highly animated and the 13th and 14th Regiments were on their march to join them. Colonel Burn called a council of war and it was determined to be expedient to return to 40 Mile Creek (about 10 miles in our rear) to procure supplies of ammunition and provisions, which were nearly exhausted and our boats had been ordered back. This measure was disapproved by almost all the platoon officers, who wished for an immediate and vigorous pursuit, but as Colonel Burn was an experienced officer and the enemy had probably got too much of a start to be overtaken on that day the proceeding perhaps was prudent though not agreeable to my feelings nor glorious to our arms. Many stragglers, however, would certainly have been taken. As a proof of the disorder of the enemy the British General Vincent was missing so long that a flag was sent for his body, supposing that he had been slain. He had lost his hat, was dismounted, and wandered a considerable time in the woods. There were but few Indians with the British and the latter set up the savage yell before the attack was made. This artifice was unworthy of regular troops and it excited no other sentiment but contempt among our soldiers. Though we have not completely effected the object of our expedition up the lake, the surrender or destruction of the enemy's force, the coolness, collected and determined intrepidity of many of our troops have been conspicuously displayed and they have acquired valuable experience to be applied in future operations of the army.

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[4] William Johnson Kerr. [5] John Norton. [6] Robert Dickson. [7] John Ferguson of Kingston.

"We have endured every hardship and privation, the officers in common with the soldiers. We have borne hunger, thirst, and loss of sleep, we have endured the extremity of cold and heat and have frequently laid upon the wet ground in the open air and sometimes in rain to seek the necessary repose.

Generals Boyd and Lewis joined us at the 40 Mile Creek and had made every preparation for again pursuing the enemy when a peremptory order was received from General Dearborn to return to Fort George, it being apprehended that the British fleet, which now appeared would take in their troops and attack the place. On the morning of the 8th we accordingly commenced a retrogeade in good order and at our leisure. The enemy's fleet made an attack on our boats and effected the destruction of them and all our company and personal baggage. On this retreat the men were so much fatigued that whenever a halt was made they dropped down for rest in the ranks. Myself and Captain Randolph of the 20th have been attached to the 5th Regiment and thus fortunately have had an opportunity to engage in action. I had only two men wounded and Captain Randolph three. The regiment had several more men wounded but only two of them mortally. The enemy's fire is always rapid and less effective than ours. They lose over five times as many as we do. They had 120 killed and wounded and we had about thirty.

Colonel Proctor has just arrived with a reinforcement and we shall have another battle in a few days."

Memorandum of Major Plenderleath's Services

After the death of Major Plenderleath, at the request of his widow, Colonel James FitzGibbon, who had served with him for many years in the 49th Regiment, prepared a memorandum of his services from which the following is an extract.

"On the 27th of May, 1813, the American army crossed the Niagara River and drove the British from Fort George & from the whole frontier up to Fort Erie, the several frontier detachments were united at the Beaver Dam, some 10 miles back from the frontier & thence retreated towards Burlington Heights at the head of Lake Ontario. The American army soon followed and on the evening of June 5th, bivouacked for the night at Stoney Creek within 3 or 4 miles of the British. Later in the evening the British commander determined on attacking the Americans before day on the following morning & for which purpose his small force, about 700 bayonets, was countermarched & whilst it was yet dark, commenced the attack. The enemy, about 3000 strong, flew from around their fires in the open farm grounds where they were sleeping and formed out of view in the rear & commenced a heavy fire of cannon and musketry, while the British endeavored to form in the extreme darkness upon unknown & rough ground, covered with rail fences, fallen trees, and stumps, soon fell into inextricable confusion and broke & fell back into the surrounding woods. Major Plenderleath, who was with that part of the force which formed in the high road, soon discovered what was passing on the partially cleared ground on right & left, at once decided on charging the guns in his front in the road, then beginning to fire upon him. He called aloud for volunteers to follow him, upon which a young Scotch sergeant, named Fraser, only 19 years of age, sprang forward, followed by about 30 men & led by the major, they charged the gunners, killing & dispersing every one of them. At this moment the 2 American Generals, Chandler & Winder, rushed forward followed by some of their officers & men but they were received on the points of the bayonets of our soldiers, who took the 2 Generals with 5 other officers and 75 men prisoners. These they brought off together with 2 of the field pieces, of which there were 4, but 2 of them had to be left behind for want of men to drag them away. The major's horse was killed under him & he was severely wounded. On rising from the ground he laid hold of a soldier, who was near him, to help him to his feet & soon found that he had hold of an American, but the man immediately surrendered on being ordered to lay down his arms.

"In justice to Sergeant Fraser, it ought to be stated he stabbed 7 Americans, & his younger brother, a lad of 17, stabbed 4 The sergeant also captured General Winder, who was in the act of raising a pistol to fire at him but Fraser promptly put his bayonet to the General's heart & commanded him to throw the pistol down, which the General did and surrendered Fraser is now (1 January 1854) a half pay lieutenant and a colonel of militia in Upper Canada

The major then brought off his prisoners & guns & in the retreat was joined by scattered troops who were soon by returning daylight, enabled to find their way back from the surrounding woods to the road

"After the capture of the American Generals, the officer next in command of their army, being but a militia colonel & without experience, deemed it most safe and prudent to march his troops back to Fort George & there await the arrival of Major General Dearborn, who was then on his way from Washington to take the command in chief on the frontier

"The advance thus made by Major Plenderleath saved that small army & consequently most probably the whole of Upper Canada For had it not been so made the Americans would have maintained their ground till daylight when they would have discovered that our force was dispersed in the woods and liable to be made prisoners in detail as they issued from thence to the high road individually or in small parties"

From Prevost to Vincent

Vincent was so much encouraged by his success and the arrival of reinforcements that in a letter written to Colonel Baynes from the Forty Mile Creek, he announced his intention to advance and attempt to retake Fort George if Yeo would co operate with his squadron which had gone down the lake

In reply Prevost advised caution

"H Q Kingston, 18 June, 1813

"Sir

"The Adjutant General has communicated to me the letter you addressed to him on the 14th inst ,[1] wherein you express a determination to push forward and retake Fort George provided Sir James Yeo would co-operate with his squadron in the enterprise

"Although I approve the energy and applaud the valour which has been so conspicuous in the Centre Division of the Army of Upper Canada still I cannot allow you to dissipate your force uselessly at a moment when the concentration of it entire with the reinforcements which are moving toward you, a combined operation upon the positions occupied by the enemy on both banks of the Niagara River might be undertaken with a well founded expectation of success However, to preserve unabated the ardor which glows in the troops under your command and with a view to increase the uneasyness which you represent as existing in the American camp and which might cease by inactivity on your part and become confidence, I have made the following arrangements with Sir James Yeo, who sailed yesterday for the purpose of interrupting the supplies for the American army moving by water and for carrying away or destroying the depots of stores collected at Oswego and the Great and Little Sodus together with all the vessels and boats he could get at, but in the event of the wind not favoring this design, then the Commodore is to proceed direct for Niagara and after having communicated with the British Commanding Officer of the troops it is proposed if circumstances are favorable that the ships of his squadron should anchor opposite to the enemy's camp at the Four Mile Creek for the purpose of cannonading it and, if advisable of landing such of the troops and the marines he may have on board at the time to countenance and support a simultaneous menace on the enemy near Fort George, which is to be made by your light troops and Indian warriors which if feebly resisted by the enemy and producing signs of confusion and dismay, might be followed up by the main body to dislodge the Americans from the ground they occupy within His Majesty's territories

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[1] Documentary History, 1813 Part II p 74

"Sir James Yeo has received on board the Wolfe in specie £500 for the Deputy Commissary General Brigade Major McLean and Captain Chambers are to proceed from hence in the course of the day as will also Major General de Rottenburg who has relieved Major General Sheaffe Two companies of the Royals and a detachment of the 104th Regiment have just left Kingston under command of Colonel Stewart "

(G 1221 pp 153-4)

Supercession of General Sheaffe

The supercession of General Sheaffe and the difficulties to be surmounted in the successful defence of the province were related in a letter addressed to the Duke of York sent to England by Captain Robert McDouall as a special messenger

"Head Quarters, Kingston, Upper Canada 23rd June, 1813

"Sir

"Since I had the honor of addressing Your Royal Highness on the 15th instant the Government of the United

States has not ceased to make every exertion to bring forward a sufficient force to wrest from His Majesty's troops the positions occupied by them at one extremity of a long line of defence while every nerve has been strained by me to maintain and strengthen them. It is therefore probable that the army possessing the power of concentrating and maintaining a preponderating force at the remote points will ultimately succeed. The resources of America for obtaining this object are not only superior in extent and more readily brought out but the comparative risk to which she exposes herself by accumulating a great force on the Niagara line, bears no proportion to the hazard I should incur by a similar movement with the troops under my command, a measure that would unavoidably expose several of our vulnerable points. The two fleets are at present nearly equal, but in this respect also the resources of America for increasing her navy on the lakes are greater in extent and more easily available than those possessed by England. To counterbalance these advantages, however, high discipline and valor are decidedly in our favor. If my observations are correct Your Royal Highness will allow that the chances of success are on the side of America in proportion as her superior resources are suffered to accumulate and grow into so preponderating a force as neither to be checked nor counteracted by valor and discipline. This is the principle which has hitherto guided my conduct. I have acted upon it with some success. I have disappointed the expectations of the American Government of finding Upper Canada an easy conquest, as well as in its view of obtaining the fur trade and of obtaining an absolute dominion over the Indians. The support I have received from the General Officer in command since the death of Major General Brock, I am sorry to say, has not always corresponded with my expectations. Circumstances indicating an insufficiency on the part of Major General Sir R. H. Sheaffe to the arduous task of defending Upper Canada, have induced me to place Major General de Rottenburg in the military command and civil administration of that Province, which measure will, I hope, meet with the approbation of His Royal Highness the Prince Regent and that of Your Royal Highness. Except Sir John Sherbrooke, the Major General is the only General Officer of high character and established reputation serving in the army in the North American Provinces to whom I could entrust this important duty, without embarassing myself with it to the prejudice of the other possessions of His Majesty committed to my charge.

'Your Royal Highness will, I hope, pardon my lamenting the detention and delay experienced by the Regiment de Watteville going to Halifax previous to their coming to Quebec, altho' I am satisfied His Majesty's Government adopted this precautionary measure from some decided opinion which it had received upon the subject, still I cannot but regret it as the consequence of so circuitous a route, when all dangers from ice in the River St. Lawrence had ceased, that I have been deprived of the services of this valuable corps at the critical period when the enemy reckoning upon their numerical superiority, were induced to make a third serious attack upon Upper Canada, with means amply sufficient for the enterprise, with an improved army better organized, better disciplined, and more ably commanded I expect to be joined by that regiment in the course of the next week, and then I shall feel enabled to undertake some offensive operations calculated to cripple and destroy the enemy's marine resources, by the success of which I can alone hope to maintain the position I at present hold in Upper Canada

"I feel truly gratified for the interest Your Royal Highness has been pleased to take in the naval concerns of this command It is, however with regret, I inform Your Royal Highness, that I have been compelled to dismantle the batteries at this post for the purpose of arming the vessels lately built on the lake, in consequence of the disappointment I have experienced in the arrival of the carronades I had demanded for that service both from England and from Nova Scotia

My aid de camp Captain McDouall will have the honor of delivering to Your Royal Highness this despatch He is an intelligent, deserving officer and well qualified, particularly from having lately been with the different divisions of the army on our frontier, and personally engaged in several of the actions, to give any information respecting the state of the Provinces which Your Royal Highness may require from him"

Controversy Over Fighting

In accordance with Prevost's instructions of the 7th June Vincent advanced with his main body to the Forty Mile Creek and sent forward an advanced guard to the Twenty Mile Creek under Lieut Colonel Bisshopp to occupy the road junction there From his force Major de Haren with two companies of the 104th, the light company of the 8th, Kerby's newly organized company of Incorporated Militia and two small troops of Provincial dragoons, was directed to occupy the site of the present city of St. Catharines where three roads branched off leading to Niagara, Queenston and Chippawa Lieut. James FitzGibbons, with a company of picked men from the 49th Regiment was sent forward on the road from the Twenty Mile Creek to De Cew's falls to occupy a stone house at that place The whole body of Indians, numbering nearly five hundred, were instructed to form their camps in the woods nearly midway between de Haren's and FitzGibbon's positions to be in readiness to support either, while Bisshopp could advance to the assistance of either with nearly equal facility or they could retire upon his command De Haren established outposts at the crossings of the Ten Mile Creek on the roads toward Niagara and Queenston Scouting parties were sent out on the roads leading to the river to gain intelligence and arrest persons suspected of sympathy with the enemy On June 24 a detachment from the invading army advancing against FitzGibbon's station was surrounded and compelled to surrender

The field of action in this combat was so extended and in many places so thickly wooded and on the part of the victors so many detachments were acting independently under different officers that considerable misunderstanding occurred and prolonged controvesy ensued in after years Besides FitzGibbon's party of the 49th which had actually taken little part in the fighting although its opportune appearance in the enemy's front at a critical moment and its commander's adroitness and audacity had induced the surrender, a large body of Indians from Lower Canada under Captain Dominique Ducharme and other French Canadian officers, and a smaller number of the Six Nations commanded by Captain William Johnson Kerr and his cousin Lieutenant John Brant had been actively engaged, and part of a troop of Provincial dragoons had taken possession of the road by which the enemy had advanced and menaced their retreat The officers commanding these parties not unnaturally believed they had not received sufficient credit for their exertions

Extracts from The Quebec Gazette

Two accounts of the battle, evidently written by well informed local residents were published soon after in the Quebec Gazette

"THE QUEBEC GAZETTE

"THURSDAY, JULY 15 1813

"Montreal July 6

"Immediately after the gallant affair of our advance on the 6th ultimo Lieut Fitzgibbon made application to General Vincent to be employed separately with a small party of the 49th Regt and in such manner as he might think most expedient the offer was accepted, and this little band has since then been constantly ranging between the two armies Many events would naturally occur on such a service which would be very interesting, but are necessarily prescribed in our limits of the tale, and we will confine ourselves to two very extraordinary occurrences about the 30th ult Lieut Fitzgibbon went in pursuit of 46 vagabonds, volunteer cavalry brought over by a Doctor Chapin from Buffalo and who was for some weeks plundering the inhabitants round Fort Erie and Chippawa, he came near to them at Lundy's Lane, about a mile below the falls but he discovered that they had been joined by 150 infantry—his force was about 44 muskets—he did not think it advisable to attack, and therefore his party was kept concealed. He however rode into the village, at the end of the lane, dressed in green, to reconnoitre—he could not perceive the enemy Mrs Kirby[1] who knew him ran out and begged him to ride off for that some of the enemy s troops were in a house at a short distance—he saw a horse at a door, and supposing there were none but his rider in the house, he dismounted and approached it when an infantry soldier advanced and presented his piece at him; he made a spring at him, seized his musket and desired him to surrender—the American resisted and held fast—at this instant a rifleman jumped from the door with his rifle presented to Lieut Fitzgibbon's shoulder who was so near to him that he seized the rifle below the muzzle and pulled it under his arm, keeping its muzzle before and that of the musket behind him, in this situation, Lieut Fitzgibbon called upon two men who were looking on to assist him in disarming the two Americans, but they would not interfere, poor Mrs Kirby apparently distracted used all her influence but in vain; the rifleman finding that he could not disengage his piece drew F s sword out of its scabbard with his left hand with the intention of striking at Lieut F when another woman, a Mrs Dunfield[2] seized the uplifted arm and wrested the sword from his grasp, at this moment an elderly man named Johnson, came up and forced the American from his hold on the rifle, and Lieut F immediately laid the other soldier prostrate a young boy of 13 years old, son of Dr Fleming was very useful in the struggle which continued for some minutes Lieut F thus relieved, lost not a moment in carrying off his two prisoners and the horse as the enemy's forces were within 200 yards of him, searching a house round a turn of the road

At 7 o'clock in the morning of the 24th, ult Lieut F received a report that the enemy was advancing from St Davids with about 1000 men and 4 pieces of cannon, to attack the stone house, in which he was quartered at the Beaver Dam, about an hour afterwards he heard the report of cannon and musketry, he rode off to reconnoitre, and found the enemy engaged with a party of Indians, who hung upon his flanks and rear and galled him severely—Lieut F dispatched an Officer for his men and by the time of their arrival, the enemy had taken a position on an eminence at some distance from the woods in front; he estimated the enemy's strength at 600 men and 2 field pieces, a 12 and 6 pounder To make the appearance of cutting of his retreat, Lieut F passed at the charge step across his front, to gain his other flank, under a quick fire from his guns, which however did not the slightest injury He took post behind some woods, and saw that the Indians were making very little of the enemy, and it would have been madness in him with 44 muskets to dash at them across open fields, where every man he had could be so easily perceived Many of the Indians were at this time taking themselves off and he began to think of his own retreat, he had a hope however that Colonel De Haren would soon join, but fearing that the enemy would drive him off or make good their retreat, he determined to play the old Soldier, and summon the enemy to surrender He tied up his handkerchief and advanced with his bugle sounding the "cease firing", a flag was sent to him by a Capt McDouall of the Artillery—Lt F stated that he was sent by Colonel Deharen to demand their surrender and to offer them protection from the Indians, adding that a number had just joined from the north west who could not be controlled, and he wished to prevent the effusion of blood The Captain went back to his commanding officer Lt-Col Boerstler and soon after returned saying that Col B did not consider himself defeated and could not surrender Lt F proposed that Col B should send an officer to see Col Deharen's force when he would be better able to judge of the necessity He soon returned with a proposal that Col B should himself be shewn the BRITISH, and if he found the force such as to justify his surrender, he would do so, to this Lt F said he would return to Col Deharen and state Col B's proposal The real intention of shewing the enemy's officer our small force never existed, but appearances must be kept up in order to carry on the farce On Lieut F's return, he found Capt Hall[1] with 12 Dragoons just arrived to whom was communicated what had passed and Capt Hall immediately assumed the rank of Colonel for the purpose On this Lieut F returned and stated that Col Hall now being the senior officer on the spot did not think it regular to let the enemy see his force, but that it was perfectly ample to compel the surrender, and from motives of humanity five minutes would be allowed for acquiescence and if refused hostilities would recommence at the expiration of this period Col B agreed to surrender on condition that the officers should retain their horses arms and baggage and that some militia and volunteers (among whom were Dr Chapin and his marauders) should be permitted to return to the States on parole When the extent of our force is considered it is no wonder, that these conditions were immediately acceded to Lt F at this moment most fortunately met with Col Clarke of Chippawa who came galloping up and who proceeded to assist him in disarming the enemy as Col Hall could not appear, and his only officer (an Ensign) must remain with the men Col Deharen immediately afterwards appeared with the flank companies of the 104th Regiment and the whole affair was soon settled, thus putting into our possession 26 officers, one 12 and 6 pounder two caissons, and two waggons and above 500 prisoners, including about 20 Dragoons Had not Col Deharen arrived at that moment this large number of the enemy would have yielded to 43 soldiers of the 49th regt for all the arrangements were made previous to the arrival of that officer The Indians behaved well they killed and wounded during their skirmishing about 50 of the enemy We are informed that at the moment of the summons being set, many of the enemy had gone off—the number of Indians engaged did not exceed 80 Thus terminated a bloodless victory on our part If promotion and reward await the Officer selected to be the bearer of dispatches announcing an enemy's defeat we cannot doubt but the hero of this achievement will receive that favor from his Sovereign to which his services have established so just a claim and who we believe has no other patronage but his own distinguished merit"

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[1] Wife of Captain (afterwards Colonel) James Kerby of the Second Regiment of Lincoln Militia

[2] Sarah wife of Edward Defields

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[1] Captain John Hall of the Canadian Fencibles Inspecting Field Officer for militia cavalry

"THE QUEBEC GAZETTE

THURSDAY, JULY 28, 1813

"Montreal July 17

"Extract of a letter Flamborough Upper Canada June 20th, 1813

'The loss of another division of about 700 men and two pieces (a 12 and a six pounder) of cannon, seems to have determined the enemy to remain close to that place where I am sorry to say the conduct of their Generals their officers and men has been disgraceful in the highest degree to the inhabitants who had returned to the place upon repeated promises, as well general as particular that their property would be respected and protected Plunder is however the order of the day, and what is worse, the personal liberty of all the inhabitants has been taken from them, except a very few indeed who were always suspected and who have now openly joined the enemy You will not be surprised when you learn that the Editor of the late Guardian, led the American army in pursuit of ours, when you recollect the matter with which its columns were usually filled—another also an Irishman, is seen at the head of almost every party of depredators who too frequently visited the interior of the country until lately To the honor of Niagara be it said that General Dearborn has been heard to express his deep regret and sincere disappointment, that so few of its inhabitants should have sought protection under the wings of the American eagle and the keen disappointment he feels may have goaded him on to the disgraceful and mad step he has committed In sending off to Greenbush those that he could get hold of, amongst whom, I am sorry to enumerate the names of Edwards, Muirhead Dickson Symington, Lawe, two Kerrs, M Ewan, Parson Addison Powell, Heron Green, Baldwin, Clench Jones, Ball, Decoe, & John Crooks, Mr Lawe, M'Ewen & the two Kerrs were wounded in the battle of the 27th past, and I understand no means of conveyance is furnished them on the road, unless at their own expence I had the good fortune to escape this jaunt from the circumstance of my living about six miles back in the country, whither I had removed my family immediately after the attack on York took place, twenty-five mounted riflemen were however sent after me, but having caught a glimpse of them a short distance from the house I had time to effect my escape into the woods and the next morning at day break, I proceeded for this place, leaving Mrs —— very unwell and family exposed to the brutality of a set of miscreants unequalled in the annals of the world however I hope a just vengeance will overtake them soon and that they will be severely retaliated upon for all their enormities, one part of which I must not omit, namely their confining of 23 of our soldiers taken on the 27th in a dungeon, who are to be dealt with in the same manner, that an equal number of Irishmen taken at Queenston and at other places in arms against their Sovereign and who very properly were sent to England last fall"

"The following account of the action between the Indians and Americans, on the 24th ult, was written by a Gentleman who witnessed the affair, addressed to his friend in this city

"I beg leave to inform you of the gallantry and coolness displayed by the Cognawaugha, Lake of the Two Mountains, and St Regis Indians, under orders of Captains Ducharme, Lorimier, Gamelin and Lieutenants Le Clair, Evangeliste St Germaine, and Langlade in the action which was fought on the 24th last, at 12 mile creek. Their military prowess deserves the highest encomiums. At 7 o'clock in the morning our brave Indians perceived that the enemy was approaching upon our advanced posts, and notice was given to Colonel De Haren by an officer of the department, but he would not believe it. The officers of the Indians department went to meet the enemy with our gallant warriors and entered into an engagement that lasted from eight to twelve o'clock, unassisted by regular troops and only aided by three men of the incorporated Militia, who came on, and Capt. Kerr and Lieutenant Brant with 15 Agniers[1] Indians. The enemy was three times hardly repulsed with great fright and loss.

"Their force consisted of 700 foot, 100 horses, 50 riflemen, and 3 pieces of ordnance.

"Some of the riflemen made their escape but the remaining part of the army not being able to get out of the hands of our brave Indians warriors, was left a prey to their valour, when the Colonel came on and concluded a capitulation with the enemy. In order to assuage the wrath of the Indians, Captains Ducharme and Lorimier were obliged to repeat what Col. Claus had promised to them, that they would be put in possession of the spoils and horses of the enemy. The Americans lost about 100 foot, 15 horses killed, and 600 prisoners, with all their artillery and horses.

"The loss of the Indians consisted of 7 men killed, and 16 wounded."

Extract from The Niagara Gleaner

A letter dated 10th July, 1818, published in the Niagara Gleaner on 16th July of the same year contains the following interesting statement:

"Even the Indians of Upper Canada do not appear to have been so hotly engaged as those from the Lower Province sent by the Commander of the Forces to assist in defending our country, for the people of the Grand River had only one Delaware killed, the Chippewas from Matchedash also one killed of their warriors, while the whole amount of the loss of the Indians in that affair, I think, amounted to nine men."

From Colonel Harvey to Captain Kerr

Captain William Johnson Kerr was extremely discontented on finding that he had not even been mentioned in official correspondence and continued to press his claims for recognition for many years. In 1818 he had addressed a memorial to the Duke of York, Commander in Chief of the Army, in which he enclosed letters from FitzGibbon, Major Evans and Colonel Claus, supporting it, which are printed in Volume VI of the Documentary History on pages 119-121. He had written at the same time to Colonel (afterwards Sir John) Harvey, then acting as Adjutant General in Canada, who gave him faint encouragement in the following letter:

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[1] Mohawks

Head Quarters, Quebec,
4 April, 1818.

"Dear Sir,

"I fear the time is past for making any representation with any prospect of advantage on the subject of your letter.

"His Royal Highness the Commander in Chief as well as His Majesty's Ministers can only form their judgment on Military events in remote parts of the world from the Official documents and reports which they receive through the Established and regular channels of communication. These have given considerable credit to Captain Fitz Gibbon for his conduct and address in the affair at the Beaver Dams & you will assuredly be told that if you considered the merit, which of right belonged to you on that occasion, had been given to another, you ought to have made your representation at the time when the facts could have been investigated by competent judges on the spot. My advice to you, however, as you state it to be your intention to proceed to England, is to apply personally to General Vincent, who held the command at the period to which your refer (who never intentionally injured any human being, I am certain), and in whom I am persuaded you will find every possible disposition to do all that may be in his power to place your really gallant, zealous and useful services during the late War in the light which they merit. I beg you to make whatever use of this Letter you may think proper and to believe me, Dear Sir, to be &c

J. Harvey.

"Captain W. J. Kerr,
"(late) Indian Department."

From Kerr to Earl Bathurst

Kerr's application was unsuccessful. Seven years later he prepared a second memorial stating his case in different terms, addressed to Earl Bathurst, who had been Colonial Secretary since 1812.

"Your Lordship's Memorialist was at the capture of Fort Niagara, Lewistown, Fort Schlosher, Black Rock, and Buffalo on the Enemy's Shores was also in the battle of Chippawa under Major General Riall, in which action your Lordship's Memorialist was made prisoner and detained until peace took place when the department was reduced

"Your Lordship's Memorialist was in the mercantile business previous to the late War in this Country and from his connections and influence with the Six Nations of Indians was solicited by Major General Sir Isaac Brock and Colonel Claus, Deputy Superintendent General of Indian Affairs, to accept of a Captaincy in the Department from which circumstances the property of Your Lordship's Memorialist was taken and destroyed to a large amount whenever it was found and in consequence your Memorialist has suffered very material injury

"Your Lordship's Memorialist begs leave to refer to the Letters transmitted herewith in corroboration in some degree of the above statement Had he ever been as solicitous to procure certificates of his conduct during the late War in this Country as he was zealous to further His Majesty's Service, he would have been enabled to lay before Your Lordship more satisfactory proof of his claims to Your Lordship's consideration

"Your Memorialist therefore humbly prays Your Lordship to take his case into consideration and to recommend him for a pension or half pay agreeable to his Rank from the period of his discharge from the Department, which was on the 24th day of December 1815 or such other compensation as to Your Lordship may seem meet, and as in duty bound will ever pray,

William J Kerr
"late Captain Indian Department

"Burlington Bay
"Upper Canada
"12 October, 1825"

This memorial was forwarded to Colonel Claus as Deputy Superintendent General of Indian Affairs at Niagara, for transmission to the Lieutenant-Governor

Certificate from Claus

Besides copies of letters from Major Evans and FitzGibbon a certificate from Claus was enclosed written on the anniversary of the action at Beaver Dam in 1818

Fort George U Canada
"24 June 1818

"I do hereby certify that Wm J Kerr, Esquire late Captain in the Indian Department, commanded a party of the

Western Indians and Six Indian Nations in an action with the Enemy commanded by Lt Colonel Butler on the 24th day of June 1813 near de Coe s Beaver dam when the whole of the American force were captured with two pieces of ordnance, Trumbrils, &ca None were engaged with the Enemy that day but the above Indians and about 180 of the 7 Nations from the Province of Lower Canada

"W Claus, Dy Supt General"

In his letter forwarding these papers Claus considered it necessary to point out an error in the memorial

"Fort George,
"12th December, 1825

"Sir,

"I have the honor to transmit herewith a letter from Mr William J Kerr, addressed to me and dated the 12 ultimo, covering several documents which he requests that I will transmit to His Excellency Major General Sir Peregrine Maitland, K C B

"I feel it my duty to correct a statement made in Mr Kerr's memorial that he was appointed by the late Major General Brock he was appointed at my request by the late Colonel Myers, who then commanded on the frontier in the absence of Major General Sir Isaac Brock, who was then at Detroit I have no doubt but Mr Kerr believes the appointment was made as he stated

I have the honor to be &c
W Claus, Dy Supt General
Indian Affairs

"Major Hillier
Secretary to His Excellency
Major General Sir P Maitland

The memorial then forwarded differed considerably from former statements and boldly claimed the entire credit of defeating the enemy and forcing them to surrender The Lieutenant-Governor made no recommendation

From Maitland to Earl Bathurst

'Upper Canada
York, 15th December, 1825

"No 204
"Miscellaneous
"My Lord

"At the request of Mr William Kerr, formerly a Captain in the Indian Department in this Province I have the honor to forward to Your Lordship his memorial praying for half pay on account of his services in that capacity during the late War This memorial is accompanied by several certificates and by a representation from the head of the Indian Department in the Province

I have the Honor to be, &c
P Maitland

"The
"Earl Bathurst K G
&c &c &c

"To the Right Honorable Earl Bathurst, Secretary of State for Colonial Affairs &c &c &c

"The Memorial of William Johnson Kerr Esquire of the District of Gore in the Province of Upper Canada and late a Captain in the Indian Department

"Most respectfully sheweth

"That Your Lordship's Memorialist was appointed Captain in the Indian Department at the commencement of the late War between Great Britain and the United States of America by the late Major General Sir Isaac Brock and served under the following Officers viz Major General Sir Isaac Brock, Major General Sir Roger Hale Sheaffe, Major General Vincent, Lieutenant General Sir Gordon Drummond, Major General Riall and Colonel Claus of the Indian Department and was in most of the actions fought on the Niagara frontier

"That your Memorialist had the honor to command about five hundred Indian Warriors on the 24th day of June, 1813, and attacked a much larger force of the Enemy under the command of Colonel Boerstler and obliged him to surrender after a severe engagement of two hours, in which action were captured about six hundred prisoners, of the Regular Army two field pieces one six and one twelve pounder two Baggage waggons two tumbrells five hundred stand of small Arms forty horses and a stand of Colours on which occasion there was not a single cartridge expended by His Majesty's regular forces, neither were there a single soldier or militia man killed or wounded—That Major Genl Vincent in his official dispatch of that affair gave the whole credit of the affair to Lieut Fitzgibbon of the 49th Regiment when in right it was due to your Memorialist and the Indian warriors under his Command as will appear evident to Your Lordship from the Letter of Sir John Harvey, Depy Adjutant General at the time as well as that of Captain FitzGibbon himself, who commanded a small detachment of the 49th Regiment, consisting of about fifty men who were not in the action, although they arrived at its close The report of the Battle transmitted by Your Lordship's Memorialist to Colonel Claus, Deputy Supt General of Indian Affairs, was not noticed by Major General Vincent in his official dispatch Your Lordship's Memorialist begs leave to refer to Lieut Colonel Bishopp's report of that action as is copied in the Annual Register for that year Your Lordship will perceive from the Letter of Colonel Evans, (then Major of Brigade) that the favorable result of that action effectually checked the Enemy's maurading parties along the Niagara frontier to the great relief of the inhabitants His Majesty's subjects"

Letter from James FitzGibbon

More than two years later probably in compliance with a request from Captain Thomas Coleman who had commanded the Montreal troop of Canadian Light Dragoons FitzGibbon acknowledged the service rendered by a party of his men at the Beaver Dam

'York, Upper Canada,
"26th April 1828

"I served in Upper Canada during the late American war and have seen something of the services of the troop of Provincial Light Dragoons raised in Lower Canada by Captain Coleman On the 24th of June, 1813, a detachment of that troop arrived most opportunely in front of a detachment from the American Army whose commanding officer I was then negotiating terms under which the detachment was to surrender themselves prisoners of war The detachment did surrender and I have no doubt that the appearance of the cavalry had a favorable effect and contributed to make them surrender The numbers of the enemy exceeded 550 men including about 50 dragoons with two guns, tumbrils, waggons, &c The British troops present at the moment the terms were agreed upon consisted of a detachment of the 49th Foot under my command not quite 50 men and about 20 dragoons of Captain Coleman's troop with a body of Indians From this force the American detachment might without difficulty have retreated had they known its amount and the direction of the roads in the vicinity

"The other services of the troop I did not witness but of the character of its commander and the conduct of the troop I had often heard favorable mention made

'James FitzGibbon,
'then Lieut in the 49th Regt"

From FitzGibbon to Sir John Colborne

Four years afterwards when seeking preferment from Sir John Colborne who had succeeded Sir Peregrine Maitland as Lieutenant Governor of Upper Canada, FitzGibbon presented another memorial giving a detailed account of his military services in the war

"EXTRACT FROM A MEMORIAL FROM JAMES FITZGIBBON TO SIR JOHN COLBORNE, DATED AT YORK, 4th JUNE 1832"

"Humbly sheweth,

'That Your Excellency's Memorialist was Lieutenant & Adjutant in His Majesty's 49th Regiment, in Montreal in Lower Canada when the Government of the United States of America declared War against Great Britain in the year 1812 That desirous of being employed in the most active service he solicited leave to resign his Adjutancy and was by the authority of the Commander of the Forces, permitted at once to give up the duties of that office whereupon the Commanding officer of his Regiment placed him in command of a company. That he was forthwith employed to escort a Brigade of Boats, 24 in number, from Montreal to Kingston with ordnance stores of great importance to the Posts in Upper Canada at that Crisis That this service was successfully performed, and on returning to Montreal he found his Regiment under orders for Upper Canada and proceeded with it back to Kingston That in January following he was selected to conduct to the Niagara Frontier a Brigade of 45 Sleighs with Stores, where he arrived on the 18th of that month and was four days afterwards detached with the company under his command to the most distant outpost dependent on Fort Erie That after the action at Stoney Creek in June following he applied for and obtained leave to select a Detachment of 50 Chosen men —to be employed in advance of the Army, and with authority to act against the enemy as he pleased and on his own responsibility solely. That he advanced from the Army at ten o'Clock at night of the same day on which he made the application having during that day selected the Men for his detachment and transferred the company he commanded with their accounts to another officer, and on the 24th of the same month aided by a body of Indians he captured a chosen Detachment of the Enemy sent out from Fort George expressly to capture your Memorialist and his small Detachment which Detachment of the Enemy consisted of upwards of 550 men of whom 50 were cavalry, with also two Field

Pieces a six and a twelve pounder, and four Tumbrils and Caissons. That for this successful operation His Royal Highness The Prince Regent was graciously pleased to promote him to a Company That during the remainder of the War he was constantly in the advance parties of Militia frequently under his command, except during short periods in Lower Canada whither he was sent three times during the War That during the Operations on the Niagara Frontier in 1814, the Lieut Colonel and the Major of the Incorporated Militia were successively wounded and sent to the rear and after the departure of the last wounded of those officers, Sir Gordon Drummond was pleased to appoint your Memorialist to the command of that Corps which command he held during the remainder of the operations before Fort Erie, and until the Lieut Colonel was so far recovered as to resume his Command when your Memorialist returned to his Company That in February following he was sent from Kingston to Quebec to recruit from limited service men then in that City waiting the opening of Navigation to be sent home to be discharged, but the ratification of the Treaty of Peace being announced he was sent back to his Regiment in Upper Canada having under his command one hundred men who had volunteered, and who were marched by him over the Snow to Kingston That in the year 1816 the Regiment into which he had been promoted was disbanded and he was placed on half pay"

This was accompanied by a copy of a letter from Sir George Prevost and a memorandum by Sir John Harvey, commended his conduct very warmly

From Sir George Prevost to James FitzGibbon

'Head Quarters — Kingston
"29th June 1813

'Sir,

"It is with much satisfaction I take up my pen to acknowledge the high sense I entertain of your distinguished conduct in the management of the affair which terminated in the surrender of Colonel Boerstler's detachment from the American Army on the 24th Instant

"The impression under which I address you cannot leave a doubt in your mind of the nature of my disposition towards you and of my intention of submitting the detail of your services to His Royal Highness The Commander in Chief's consideration

"I have the honor to be &c,

"George Prevost

"Lieut FitzGibbon
"49th Regt"

Memorandum by Lieut.-Colonel John Harvey

"Lieut FitzGibbon was permitted to select the Men for this service and their conduct proved the discrimination evidenced in the Selection both with respect to the Enemy and towards the Inhabitants their conduct was admirable.

"The Lieutenant himself displayed most valuable qualities as a Partisan Officer and the detachment in every respect fully answered the purposes for which it was formed

"J. Harvey
Lt Col D.A.G

"Kingston Upper Canada
"20 December 1814"

(From copies attached to FitzGibbon's Memorial to
Sir John Colborne of 4th June 1832)

The want of necessary supplies had prevented Vincent from advancing with the main body of his small division as he was obliged to rely almost entirely upon the resources of the adjacent country for subsistence and transport. Acting on the advice of the magistrates in their recent addresses he had with apparent reluctance and misgiving published a district order announcing that martial law "shall immediately come into effect, as far as supplying the wants of the army under any plan or the sending away or apprehending all traitorous or disaffected persons may render expedient"

From J. C. Herries to George Harrison

The loss of provisions and military and naval supplies destroyed in the magazines and storehouses at York and Fort George was reported to be serious and extremely distressing as they could only be replaced by precarious shipments from England at an uncertain date. This is shown in a letter from J C Herries, dated at the Commissary in Chief's office in London on the 31st July and addressed to George Harrison, secretary to the Treasury Board

"I have the honor to state to you for the information of the Lords Commissioners of His Majesty's Treasury that Mr Robinson in a letter dated Quebec 19th ultimo, reports his having received Letters from Depy Asst Commissary General Crookshank at York apprizing him that the Army under General Vincent has been obliged to retreat and had taken up a position at the Head of Lake Ontario and that in consequence of the Army's Retreat from Fort George Mr Crookshank apprehended that most of the supplies at that place had fallen into the Enemy's hands

"Mr Robinson also adds that from other Sources of Information he had learnt that the Sloop of War on the Stocks at York with all the Marine Stores for completing her in building, rigging, &c were burned"

From Hon. John Richardson to Simon McGillivray

The gloom and depression caused by these reverses were very forcibly described in a private letter to Simon McGillivray, then in London, dated at Montreal on 7th June, 1813 and probably written by Hon John Richardson, a member of the Legislative Council of Lower Canada and a partner with McGillivray in the Northwest Fur Company, and later the reputed author of "The Letters of Veritas"

"The first ships from Quebec are to sail on the 10th Inst, at least a month later than I expected, for I thought our Governor would have been solicitous to send off a vessel early with an account of our political situation, which must excite a little interest even in England

"Since the Navigation opened in April the enemy has carried on his operations unmolested for the subjugation of the Upper Province—The recent surrender of Niagara has gone far towards the completion of his wishes as we thereby are cut off from all Communication with the Country beyond it and I am very apprehensive that in return for the bravery and gallant Conduct of General Proctor, who has so successfully fought and so repeatedly beat the Enemy and who with very little assistance has hitherto kept possession of not only our own Territory but that of Michigan, he is doomed to become the prey of an overwhelming force, or be forced to surrender for want of supplies of provisions and Ammunition He may save himself if the Indians soon join him in force by pushing off to River La Tranche and uniting with General Vincent at the head of Lake Ontario but it is dubious if the latter will be able to maintain his position, and it is certain he will not if we do not beat the Enemy on the Lake A failure in the latter instance would enable the Americans to land Troops and cut him off from Kingston which would be a fatal blow to him and General Procter Our ships have sailed to supply our little Army with Provisions and Ammunition

"An attempt may perhaps be made by Genl Vincent to go to the assistance of Procter but it will be a bold measure, & its success in keeping Detroit &c must depend on their being strongly supported by the Indians

"Dickson is expected to arrive at Detroit with a considerable number about this time, but I am afraid they they will be inefficient when they find us without supplies and hear of our Disasters lower down.

"As the events that have been passing in this Province since the commencement of the war seem to have excited little or no alarm for our safety, it may be that Government will not be a little surprised when they learn what has happened—But that will be singular for the Enemy has proclaimed his intentions, his preparations have been seen and known since October last, if not sooner & nothing else could be expected. Believe me that after General Brock defeated Hull, and render'd abortive the designs of the American Govt on the breaking out of the American War, every misfortune which has befallen us has arisen from the infatuation of our own Government in not sending Troops and a few sailors to the Province & rendering not only unavailing but injurious to us (by exhausting our small force) the very victories that we have so hardly and with so much difficulty obtained.

"At the commencement of the War we had on Lake Ontario five fine ships carrying from ten to 20 Guns when the Enemy had only one 18 Gun Brig and four or five paltry schooners. Strange however, to relate we had not a Sailor nor Captain to command them that had seen a shot fir'd & when sent to capture with our whole Force the Enemy's Brig, they ran away because a 32 Pounder was fired at them from the shore and they were afraid it would hit their vessels. It is also a fact that two of our Vessels of 12 & 15 Guns each would not approach a schooner with one gun, and the latter got off in triumph loaded too with Military Stores—When the enemy found us thus despicable they set seriously about recruiting their Navy and had so far succeeded by the end of Oct. that they took all our Merchant ships but one, and blockaded our ships of War in Kingston. Had Government been pleased during the Summer to have sent us about 250 Sailors to fight our ships, the force of the Enemy would have been annihilated their Harbour render'd useless, and they never could have had it in their power to enter into competition with us on the Lakes, where they only had one Port. Thus the very foundation of our Misfortunes would have been destroyed, for without ships they could not have collected such large bodies of Troops at any given place, nor have made any descent on our side of the Lake, nor yet have prevented us from reinforcing as was required, such points as they threatened with attack.

"But not a Sailor was sent us till the Spring and tho they arrived after a most fortunate passage & were sent off with uncommon expedition and exertion they were only 450 in number and the blow was struck beforehand. This deficiency of Sailors was soon perceived but other causes within our own Control succeeded to distress us The first was the Armistice between General Prevost and General Dearborn whereby Genl. Brock was stopped in the Career of Victory and the Enemy got time to strengthen their Works, collect their forces and prepare for us the battle of Niagara in October This sanguinary Contest, in which that excellent and ever to be lamented Officer General Brock lost his life, was so favourable for us that the whole of the Enemy were kill'd or taken & what did his successor, Major General Sheaffe do? He liberated all his Prisoners but the Regulars & made an immediate Armistice to give them time to collect forces for another attack This they did in the face of our Garrison, who could have destroyed their whole fortifications and taken their cannon with only 100 men so reduc'd were they after the Action

"But as soon as General Smyth had collected 6 or 7 000 Men & brought his Boats to a convenient Spot for crossing, he inform'd us that the Armistice was at an end, and again attack'd us He was defeated and their line was subsequently left to the care of about 500 men & could easily have been taken, but as on all former occasions we were not allowed to attack them 'We would irritate them and that would unite them,' said some of our wise men, 'and then they would be sure to Conquer us' The same policy has been adopted by our Government throughout They have allowed the enemy to inflict misery on us when and where he chose and have prevented us from retaliating when in our power In one solitary instance at Ogdensburg, we retaliated and the Governor General's order apologized for it Till the end of February the whole of the Enemy's Navy lay in Sackett's Harbour guarded by about 500 Men and tho only 40 miles distant from Kingston and at least 2 000 men could easily have been sent over yet the golden opportunity was negected, the Enemy perceiv'd his danger and sent several thousand Troops to guard against it

"From that time they began their preparations which have ended in the capture of our whole line with all our valuable stores Guns, & Provisions at Niagara with the sacrifice of 3 to 400 valuable lives & the pillage and ruin of all the Inhabitants in that part of the country The grand outset at York cost them (the Enemy) 700 Men, that of Fort George near 3 to 400, so that they have not obtained a bloodless Victory

"Another and very serious piece of misconduct on our part was the building of a new ship (a Frigate) at York where there was neither fortifications nor Troops to defend it, and where it could be destroyed without the Enemy's landing There was not a man in the Country besides them who laid it down that did not predict that it would be burnt on the opening of navigation, & such was the unhappy fate of that ship, that had it not been burnt it was next to cerain there was not water to launch it, or soil that would support the ways, for tides do not rise in Lakes and a deep marsh is not well calculated for supporting a heavy weight It would also have been necessary that we should be Masters of the Lakes to be enabled to transport to York the Guns, Anchors, Cables & other materials, and if previously Masters of the Lake there was no occasion to build that ship The expense of building there was also double what it would have been at Kingston, where it would have been in company with the rest of our Ships and in perfect security

'This ship, which if we had Guns and Sailors, would now have been ready to go out, would undoubtedly have made us complete Maters of the Water, and the want of it may not only occasion our defeat but endanger or even cause the loss of Upper Canada

'With such ships as we possess Sir Jas Yeo sailed from Kingston to assist General Vincent, on the 3rd Inst and if Com Chauncey with his 19 sail against our six feels bold, a battle must very soon take place I have all the confidence in Sir James that his high character deserves, and hope success, tho' the odds in ships, Metal, and Men are much against him I am not yet of opinion because the American Frigates have beat ours that we are not superior to them, and tho' Chauncey is deem'd a good Officer, I think Sir James is at least his Match A drawn battle will not suit us, for the Enemy can soon recruit both ships and Men but we cannot We have only a Schooner on the Stocks, they have a Frigate

"If Chauncey does not come out till the new Frigate is ready, which will be in a month, we shall be badly off for he will then have a superiority we cannot oppose We ought in such case to send 3 or 4000 men down to Saskett's Harbour, and I am confident that with the assistance of our fleet we will destroy them If we can do that we may recover Niagara but I am afraid we cannot do it otherwise

"Indeed it would be folly to attempt it with less than 4000 Regulars assisted by our Fleet, the Militia, and Indians

'The Americans have at least 10000 men on our side, and can destroy Batteries, carry off Guns, and render the Post untenable but by superior numbers If the Enemy beats our Fleet we must try to keep Kingston which will be difficult to do as they can cut off the communication between that place and Montreal, and prevent supplies from being forwarded

Thus our situation is not the most agreeable, and we have little prospect of its being better. A great part of the intended reinforcements for this Country is to come from Halifax, yet strange to say tho' the Troops were there since March, if not sooner, none of them have yet appeared altho' the Sailors arrived from Europe a month ago.

"Those from Cadiz have not arrived nor any others but 1500 men from Ireland partly raw Recruits. One would really imagine the Govmt expects this extensive Country is to be maintained against the population of the United States by a handful of men, for if only 6000 Troops come out this year they may indeed with the sacrifice of every comfort of the Inhabitants, and of their ordinary pursuits enable us to defend the Lower Province, but as to acting offensively it is a mere farce.

"The Enemy will be much elated with his late success, and will readily get as many Volunteers as he chooses to molest us in the Upper Province and threaten us here. This will divide our small force and render it inadequate to any enterprise.

"I shall not be surprised if in the course of three or four weeks we have 8 or 10000 men on our lines.

'An alarm was given us the other day when two of their Armed schooners of 11 Guns each attacked four Gun Boats we have a little beyond Isle aux Noix. We luckily took them and they will be of great service to us on Lake Champlain where we had not a Vessel.

"We are in general very badly off for intelligence of the Enemy's operations because economy will not admit the expence of obtaining it, while on the other hand we have a considerable number of Americans residing in the Province who give their Countrymen all the information they can wish. The business of York has given such a disgust to General Sheaffe that he never can have the least influence in that Province. The Enemy not only got the public Stores there but we did not remove the Military Chest in which there was £2,500—the Royal Standard was left but fortunately must not have been found by the Enemy and we think was consumed with the Government House and what may be more injurious to us still, no part of the correspondence of Government, or any of the confidential papers were removed. The Enemy got them all, and a portion of them will very probably hereafter decorate the Columns of the American Gazette—I shall say nothing of the manner in which the defence of the place was conducted, as opinions are divided, but it is very harshly censured.

"To come to our actual situation I shall confine myself to observing that nothing but a Naval Victory can save any part o the Upper Province above Kingston, and if we are beat the latter place as well as the whole of that Country must I fear fall

'The system hitherto pursu'd of not attacking the Enemy however fair the opportunity has been our ruin and if continued must involve us all in distress & cause our subjugation—Should we fortunately obtain a decided Naval Victory we shall probably be able to drive the enemy out of the Upper Province as we need not keep a strong garrison at Kingston and our whole force may be directed to one point I am not without hopes of success and am convinced that Sir James Yeo will beat them if anybody can They have at least 1000 good sailors which is more than double our number

'But we are not disheartened as the disposition of the People is good & both by Water & Land we shall give many hard blows before we surrender The 8th Regiment has suffered severely in the Actions at York & Fort George and the officers in General have borne their share of the Misfortunes of the day None of our Friends at Niagara are kill'd"

(Q 125 pp 87 100)

From McGillivray to the Secretary of State

Mr McGillivray transmitted the above extract from his friend's letter to the office of the Secretary of State for War and the Colonies in a covering letter dated at Cannon Street on August 10, in which he made some significant comments

"In corroboration of my correspondent's observations," he wrote "I can state one fact which may perhaps not have come to your Lordship's knowledge—On the very evening before the Action at Queenston (Niagara) in which General Brock fell he wrote a letter to a friend in Quebec expressing his decided disapprobation of the system of forbearance by which he was prevented from crossing the River to destroy the means which the Enemy were preparing (actually in sight) to attack him when and where they thought fit—He complained bitterly that 'his hands were tied up'—wished that he was employed with Lord Wellington or on any service, or under any circumstances different from those in which he was then placed—On the following morning he was attacked and fell and with him fell the best hopes of the people of Upper Canada

"I shall not further intrude upon your Lordship's attention than merely to express my earnest hope that effective succours may be sent to Canada before the close of the Season—Seamen and Marines for Lake Erie and Lake Ontario are particularly and indispensably requisite if Upper Canada is to be defended and the defence of that province, remote as it is, is so necessary to the interest of this Country and the honor of the Crown, that a doubt cannot be entertained as to the intentions of His Majesty's Government upon the subject.

"If Lake Ontario was accessible to ships from the Atlantic Ocean I have no doubt that a sufficient portion of His Majesty's Navy would be sent thither to destroy any Force which the Enemy could collect and the question now is shall a sufficient number of Men without the Ships be sent thither for the same purpose?

"I am perfectly aware," he took care to add discreetly, "that the comments of private individuals upon public measures are frequently liable to error from their being not sufficiently informed of all circumstances of the case or the consideration which may have led to the adoption of the measures complained of, but in the present instance I have occasion to think that the universal opinion in Canada accords with the observations made by my correspondent upon the impolicy of the system of forbearance by which the American Forces upon the Frontiers of Canada have been suffered to accumulate and collect for the Invasion of that Province, which have now made them so formidable and which since the opening of Navigation they have employed with so much effect."

(Q 125 pp. 83-6)

Lieut.-Colonel Cecil Bisshopp

Encouraged by the unforseen and amazing result of the fight at the Beaver Dam, Vincent immediately advanced his headquarters to the Twelve Mile Creek and sent forward strong outposts to the line of the Four Mile Creek on the lake shore road, at the Cross Roads and at St. Davids, where they found comfortable quarters in the mills and farm houses. Cattle, sheep and pigs were taken without immediate payment and slaughtered for food out of sheer necessity and horses and waggons impressed for transport. General de Rottenburg arrived on the last day of June with a small reinforcement and assumed command. This increase of force aggravated the difficulties of maintenance as a small transport loaded with provisions and ammunition destined for its supply had been captured by the enemy. But the line of outposts was strongly reinforced and extended to Queenston in the expectation of cutting off all local means of supply from the invading army. The baggage of all ranks was cut down to the lowest point. An officer of the Royal Scots informed his wife that "no officer is allowed more than he can put under his arm and run with on all occasions."

An attempt to interrupt the enemy's line of communication on the opposite side of the river had then become practicable and early on the morning of July 5, the small post at Fort Schlosser was taken by surprise. The same day a scouting party of the enemy was driven across the river at the Fort Erie ferry and an attack upon Black Rock was reported practicable by FitzGibbon. This was successfully carried out on the morning of July 11, but heavy loss was sustained in re-embarking. Lieutenant Colonel Cecil Bisshopp, who was in command, received three severe wounds, which at first were not considered dangerous. They proved fatal five days later and his death was felt to be an almost irreparable loss. During his few months of service he had become generally admired and respected by all ranks among the militia as well as the regular soldiers. He was the only son of Sir Cecil Bisshopp, baronet, who afterwards became Lord de la Zouche. He had already served with credit in Flanders, Portugal and Spain and had been elected as member of the House of Commons for Newport in the Isle of Wight. His death at the early age of twenty seven was scarcely less lamented than that of General Brock. He rests under an altar tomb in the graveyard on Drummond Hill and his portrait has been selected as a fitting frontispiece to the present publication.

FitzGibbon's Statement

A written statement by FitzGibbon, preserved among the papers of Bishop Strachan, shows that he claimed great credit for planning these operations.

"On the declaration of war by the United States Government, I resigned my commission of adjutant of the 49th Regiment in the hope of being employed on detached service as opportunities might occur. I was immediately detached with an Escort in charge of a Brigade of Boats to Kingston in July, and from thence in January following with a Detachment to Fort George.

"From the vicinity of Fort Erie I was called in to join the army retreating from Fort George on the 27th of May, 1813.

"After the affair of Stoney Creek I requested the general to detach me in advance of the army with 50 men to be employed at my discretion—the request was granted and in twelve days after I captured Colonel Boerstler's Detachment of the enemy.

"The Americans having been confined soon after to Fort George, I was sent to the Fort Erie frontier to protect the inhabitants from the plundering parties frequently sent from the enemy's shore. On the night of the 3rd of July I planned an attack on the Posts of Black Rock and Schlosser to be carried into execution on the night of the 4th. Boats could not be procured to cross to Black Rock whither I had marched on the night of the 3rd. I then determined to cross in a small skiff with Colonel Burwell and Lieut Wm Kerby of the Militia, volunteers for the occasion, and burn the Block House and Navy Buildings behind Squaw Island. At the same time I sent Ensign Winder and Volunteer Thompson of the 49th Regt. to Chippawa with a note to an officer of the militia, who had just arrived there with 30 men, requiring him to proceed under the direction of Mr. Winder and attack Schlosser at Daylight next morning. Col Clark had happened to meet Mr. Winder on his arrival and was pleased to approve of my plan and he took command of the party himself. He took the place, making Prisoners two officers and a few Men and brought away four large Boats, a Brass Field Piece and a considerable quantity of small arms and other Stores.

"The wind blowing fresh during the night made it impossible for me to cross to Black Rock, the skiff being too small.

"Notwithstanding that the enemy now knew I was on the Frontier, I determined again upon attacking Black Rock, having procured boats from below. Two days afterwards I had everything in readiness when Colonel Bisshopp came up and informed me that he had obtained the General's leave to attack it himself and that my Detachment was to compose part of his. Arrangements being made He attacked it on the 11th, my Party leading the advance. I was in possession of the place before he came up his boats having been carried far down in crossing the River. The result of this affair is well known."

(Ontario Bureau of Archives. Strachan Papers. Package Q)

From Major Fulton to Sir George Prevost

An unpublished letter to Sir George Prevost from Major J. F. Fulton, one of his aides-de-camp who had been sent as his representative to de Rottenburg's headquarters, shows that desertion had become alarmingly frequent.

"12 Mile Creek, 7th July, 1813

"I am extremely sorry to inform Your Excellency that the desertions from this army lately have been very great. No less a number than fifteen men from the 104th Regiment, four of whom belong to their flank companies. In consequence of the shameful conduct of this corps, the Royals have been sent to relieve them Three men have also deserted from the 41st Regiment, one of whom has been taken and is to be tried this day

(Dominion Archives, C 1024 p 24)

General de Rottenburg was a stern disciplinarian trained in a foreign army He was not inclined to treat such a crime lightly The private of the 41st who had been taken on his way to the enemy was tried found guilty and sentenced to be shot to death The sentence was instantly approved and carried out next morning in the presence of as large body of soldiers as could be assembled to witness it A few days later five men of the 104th and a private of the Royal Scots, also taken in the act of deserting, were tried, found guilty sentenced and shot in the presence of many of their comrades Desertions then became rare

When he had relieved General Sheaffe of the military command in the province de Rottenburg had taken the oath as President of the Executive Council and Administrator of Civil Affairs, in the presence of as many of its members as could then be assembled and announced the fact in a proclamation from Kingston on June 19 The arrival of the governor General and the establishment of his headquarters at Kingston a few days later created an anomalous situation

DeRottenburg supplemented Vincent's limited procalmation of martial law by another appointing certain magistrates as commissioners to take charge of the grain and livestock on farms abandoned by their owners or tenants, who were supposed to have joined the enemy and dispose of such property to the best advantage for the subsistence of his army

From Thomas Dickson to Edward MacMahon

A letter from Thomas Dickson of Queenston, one of these commissioners, to Edward MacMahon, the civil secretary has survived

"Thorold, 21st July 1813

"Sir

"I am this moment favored with yours of this date and shall go out this evening and consult with Messrs Street, Clark & Cummings who are at present the only Magistrates left in this part of the District and will either answer your letter more particularly thereafter or take the first opportunity of waiting on His Honor Major General de Rottenburg to give every information I am able respecting the number of meat cattle in the District of Niagara."

(C 686, p 68)

From Chief Justice Scott to General de Rottenburg

To remove any doubt of the validity of such proceedings, Chief Justice Thomas Scott had been consulted and the advice of a committee of the Executive Council obtained This was given in a letter from Chief Justice Scott to General de Rottenburg

'York July 18th 1813

"Sir,

"The Acting Attorney General has signified to me as Chairman of the Committee of the Executive Council by desire of Your Honor that after the possession of a part of our frontier in the District of Niagara by the American army many of the inhabitants disaffected to our Government joined the enemy & that some of them have left large crops of grain almost ready for harvest that unless some measures are speedily taken, will be altogether lost He has also signified that Your Honor desires the Committee of the Executive Council to suggest some method by which you may be enabled to secure for the benefit of the public the produce of the lands thus treasonably abandoned

"The Committee after serious consideration beg leave respectfully to submit that if it is inexpedient to commit to any of the military departments the carrying into effect the measures proposed the plan suggested by Your Honor ought to be adopted in appointing Commissioners in the districts where the inhabitants have so deserted their lands to report upon the cases that do occur to make the necessary arrangements for the preservation of the grain, to appreciate its value, and receive and answer any claims that may arise by reason of the execution of their powers

"The Committee beg leave further to submit as their opinion that the Commissioners ought to be appointed by Your Honor from the Magistrates of the Districts where the lands so deserted are situated"

(Sundries, Upper Canada, 1813)

From John B. Robinson to Edward MacMahon

A letter from John Beverly Robinson the acting attorney general, to Edward MacMahon contained a draft of a proclamation and gave further legal advice

"York July 23rd 1813

"Sir,

'In obedience to His Honor's desire signified in your note of the 20th instant I enclose draft of a proclamation upon the principles mentioned in the Chief Justice's letter

"At the same time I beg to be permitted to state through you to His Honor that according to my impression of the matter the reference to the Executive Council was merely to obtain the sanction of their advice for the adoption of a measure by His Honor, not precisely consistent with legal provisions but perfectly equitable in itself and absolutely necessary in the present situation of the country It could not be expected that although they acknowledged the necessity of the object to be obtained and recommended the adoption of some measure to reach it the Executive Council could furnish the means because any step taken to that end must in some degree anticipate the operation of the law and of course cannot be in conformity to its rules The Council have no other means than the laws afford them of enforcing obedience to any order consequently if they make an order not sanctioned by the law they have no power of enforcing it at all and should a Commissioner in acting under this proclamation meet with opposition he must be supported by the military authorities

"In fact a particular measure highly yet not strictly warranted by law is found absolutely necessary for this supply of His Majesty's troops defending this Province The Executive Council appointed for His Honor's guidance and advice have upon reference acknowledged the necessity and recommended the adoption of a measure to meet it As president of this Council and as an Act of that Council His Honor cannot enforce that measure As Commander of the Forces he can It seems better then for the sake of consistency and propriety and that every department may preserve its proper functions that the measure should expressly originate in that power which only can produce or uphold it

"Upon these grounds I take the liberty of suggesting that instead of publishing the enclosed proclamation His Honor should by a military order or notification, as Commander of the Forces appoint the Commissioners mentioned in that instrument and make such order for the regulation of their proceedings as he may deem expedient and I am the more free in this recommendation as I observe that the letter of The Honble Chief Justice merely suggests the appointment of Commissioners without expressing by what authority they should be named His Honor's discretion however will determine and I trust what I have said will be found intelligible and reasonable

"N B

"I take the liberty of sending a form of notification which His Honor may adopt, a copy of which or of any more proper that may be chosen should be sent to each person named as Commissioner and several other copies affixed in places of notoriety."

(Sundries, Upper Canada, 1813)

Following this advice a district general order was issued dated at the army headquarters, St. Davids, on July 24, appointing Richard Hatt, Samuel Hatt, Richard Beasley, Robert Nelles, Abraham Nelles, William Crooks, Samuel Street, Senior, Thomas Clark, Thomas Dickson, John Warren, Crowell Willson, and Thomas Cummings as commissioners to take charge of the abandoned property "to husband the same, to gather in the grain and dispose thereof to the best advantage for the legal claimants."

From Prevost to de Rottenburg

The subject of the punishment of persons arrested for treasonable conduct by martial law was referred to Sir George Prevost as Commander in Chief for his advice, which was given in a letter addressed by him to General de Rottenburg from Kingston on July 28.

"I have had the honor of your letter of the 24th inst., requiring my opinion and advice respecting the mode of proceeding against persons charged with treasonable practices during the existence of Martial Law in the Niagara District. If Martial Law has in fact been regularly proclaimed in the Niagara District, I conceive that little difficulty will exist upon this subject, as in that case under the 15th & 16th articles of the 14th section of the Articles of War persons accused of the crimes you mention may be brought before a General Court Martial, which you are already authorized to convene and may be tried and punished by it, but I have some doubt whether Martial Law does at present exist in the Niagara District to the extent that would warrant a Court Martial to take cognizance of such offences if committed by those persons.

"The declaration of Martial Law by the District General Order published by Brig. General Vincent and the authority given him by Major Genl. Sir R. Sheaffe was merely for the purpose, as far as my recollection serves me, of getting a supply of provisions for the troops and to authorize the seizure of such supplies from persons withholding them.

"If from the circumstances of the enemy being in possession of part of the Niagara District and the danger consequently to be apprehended from the traitorous practices of those who are disposed to favour them, you deem Martial Law necessary to be enforced, then as President of the Province having power to declare it, you ought in my opinion to put that District under Martial Law and thereby to suspend, for such time as you may think it expedient the jurisdiction of the ordinary Courts of Law When that is done there can, I think be little doubt that persons accused of the practices alluded to might be tried under the 15th and 16th articles of the 14th section of the Articles of War before a General Court Martial to be assembled in the usual manner"

(C 1221, pp 143-4)

The manner in which the commissioners carried out the duties imposed upon them is indicated in the following certificate

'John Mann having applied for leave to take care of the Stock and grain on the farm abandoned by Ebenezer Kelly in the township of Grantham by virtue of the power vested in us by General de Rottenburg we hereby agree that John Mann should take possession of the Grain & stock on the said farm, and as soon as possible render unto us an account of the same—witness our hands at Stamford 28th August 1813

'Thomas Dickson J P
"Thomas Clark J P

(Dominion Archives Sundries, Traitors & Treasons,
War, 1812)

The burden of the war bore heavily on all classes of the inhabitants in the seat of military operations in the Niagara District under the limited application of martial law When General Vincent retired to the head of Lake Ontario on the evening of May 31, he established his headquarters in the house of Colonel Richard Beasley then commanding officer of the Second Regiment of York Militia Finding the adjacent lands were a fine defensible position he determined to occupy and fortify it as a depot for supplies and a temporary naval base It then became known as Burlington Heights

Beasley was a cousin of Hon Richard Cartwright and had in early life been an assistant commissary at Fort Niagara Afterwards he became a fur trader at Toronto but settled at an early date in the township of Barton He bought a large tract of land on the Grand River from the Six Nations, part of which he had sold profitably to settlers from the United States He had represented Durham West York, and the first riding of Lincoln in the second parliament of the province and West York, the first riding of Lincoln and Haldimand in the third parliament He had been elected speaker in the third session of that parliament and was without doubt a person of considerable importance The claim for compensation which he presented after the war had ended and possession of his farm was relinquished on the first day of September amounted to £3,475 17/, Halifax currency He acknowledged the receipt of £225 as rent for his house, £75 as rent for his barn, and £168 15/ as rent for his storehouse from the 1st June, 1813 until the 1st September, 1815

His Claim was accompanied by the following letter

From Richard Beasley to the Board of Claims

"To the President and Gentn composing the Board of Claims at Fort George

"Gentn

"I have thought it necessary to Accompany my Ac't with a letter containing a statement of a few facts which can be Substantiated by most of the Magistrates of the District of Niagara I was in the year 1813 situated on a farm in the Township of Barton in the District of Niagara consisting of nine hundred and fifty Acres of land one hundred and sixty of which was cleared and under fence, their was on the premises a Brick House, Barn, Store house and Out houses, an Orchard containing two hundred bearing apple trees a Garden with a number of choice fruit trees, and a Nursery of Young Apple trees I depended on the product of my farm for the support of myself and family which consisted of myself wife and eight children besides servants My premises on the 1st of June 1813 was taken forcible possession of by his majesty's Troops under the Command of General Vincent the provisions I was then provided with for the Support of my family as well as my crops that were growing was totally destroyed by the Army and I was prevented from Sowing my Buck Wheat & Other Grain myself and family had to leave the premises and seek shelter where we could find it Shortly after the Battle of Stony Creek which was On the 6th of June, 1813 the Army commenced fortifying on my premises the Destruction that they and the Indians who were encamped on my Land and made in my timber was Astonishing my farm and Buildings are left in a most Desolate Situation, the depreciation and Waste of my property at Burlington has been Great will be Admited I presume by persons who have had personal knowledge of the situation of the premises previous to the War and the state they are in at the present time

"I am Gentn your humble Servant,
"Richard Beasley

"Barton 12th Septr
1815"

From Mrs. Hannah Frey to Lieut.-Gov. Gore

After the advance to the Four Mile Creek the farm houses, barns, mills storehouses, and buildings of every description, were occupied for military purposes from the lake to St Davids, and ultimately to Queenston The fences were torn down to permit free movement of troops and were then burned as firewood Timber was recklessly cut down to form breastworks and shelters, or merely to clear the ground in front The farm belonging to Mrs Hannah Frey at the Cross Roads became the main position of Vincent's force Her misfortunes were briefly and reticently stated in a petition addressed to Lieutenant Governor Gore, dated at Niagara on the 20th February, 1816

"Your memorialist is the widow of the late Captain Frey formery belonging to the Corps of Butler's Rangers

"That the said Captain Frey Husband of your Memorialists was killed by a Cannon Ball from the enemy's Battery on the 21st of November 1812 She was thereby deprived of the benefit she received from his Half Pay

'That after your Memorialist experienced so ruinous and melancholy a loss she still derived some relief from the rent of a House in the Town of Niagara until a merciless Enemy destroyed it by fire with the rest of that devoted place

"And a farm at the Cross Roads in the Township of Niagara which was occupied by His Majetsy's troops and Indians from the 17th of July till the 9th of October, 1813, during that time they destroyed it by making Batteries Breastworks and Incampments and burning fences which has rendered it useless ever since

'That the many severe losses sustained by your Memorialist has reduced her circumstances to the lowest ebb

'Your Memorialist therefore prays that your Excellency will be pleased to give her such relief by way of a Pension or otherwise as your Excellency in your wisdom may think meet"

This application was supported by a letter from Colonel Robert Nichol then a member of the Legislative Assembly who having been Quartermaster General of the militia during the war knew her situation well It was addressed to William Halton, the Lieutenant-Governor's civil secretary and dated at York on the 26th February 1816

'Having been applied to by a Mrs Frey of the Niagara District to state her case to His Excellency the Lt Governor, I beg leave to observe that Her late Husband, Captain Bernard Frey was on duty at Niagara on the 20th November, 1812, as a Volunteer & was on that occasion killed by a shot from the Enemy's Batteries.

'Captain Frey was on the half pay of the late Corps of Butler's Rangers and was a very loyal & zealous subject—The following year when the Enemy got possession of the country Mrs Frey was on a charge of sending intelligence to the British Army taken prisoner & sent into the States & when the British army at a subsequent period advanced to the four Mile Creek it encamped on her farm—having destroyed her Fences, cut and destroyed her Meadows & Fields for the purpose of entrenching themselves by which she sustained great injury—Mrs. Frey thinks that on a representation of her case to His Royal Highness, He will be graciously pleased to order her a pension agreeable to the scale for officers' widows & hopes that His Excellency will be pleased to interfere in her behalf."

Losses Sustained by George Adams

George Adams who was a magistrate and a lieutenant in the First Regiment of Lincoln Militia, had been dangerously wounded in the battle on the 27th May and taken to his home in the small village at the bridge over the Twelve Mile Creek, which had lately received the name of Saint Catharines. When General Vincent advanced to that place his headquarters were established in his house, probably the best available building. His claim for compensation shows that this fact did not save him from the insistent demands of a force living on the resources of the country they were engaged in defending.

"Statement of Losses sustained by George Adams of the Township of Grantham by His Majesty's Troops and Indians in the year 1813 commanded by General Vincent.

"49 sheep killed and Carried away by the Troops and Indians under the Command of General Vincent in July 1813 when on the advance from Stony Creek at 15/ each	£35.11.0
"37 fat Hogs taken from my Distillery at 20/ each	37 0 0
'one Horse Waggon taken by Doctor Thomas for the use of the Hospital (never Returned) on the Retreat in October	15 0 0
"a Receipt given by Mr Ingham of the King's or 8th Regt., for thirteen days of my team which I afterwards lost and never received Payment for at 15/	9 15 0
	£98 5 0

After the second retreat of the army in October, 1813 his known loyalty and the fact that he was an officer in the militia and a magistrate was considered a sufficient pretext for raiding his house and carrying him away as a prisoner of war In a second raid his distillery was destroyed

"Statement of damages sustained by a Party of the American Army under the Command of General Porter and Colo Hopkins to Geo Adams of the Township of Grantham in the month of October 1813

"two Dispatch Horses which had just come off Duty From Major General Vincent Taken by General Porter upon the 11th October, 1813	£ 50 0 0
"two Saddles and Bridles Ditto	10 0 0
"A Large Distillery with three Copper Stills, &c, Burned and Destroyed by a Party of the American Army under Command of Col Hopkins on the Night of the 19th, October, 1813	250 0 0
"this Distillery was situate in the village of Saint Catharines in the Township of Grantham and was occupied as a Bakehouse for the use of his Majesty's troops from the time of Genl Vincent's advance from Stony Creek untill the Retreat from the Cross Roads in October	
"Halifax Cy	£310 0 0

ADDENDA

The following interesting contemporary account of the battle of Queenston Heights has been communicated to the editor by the kindness of Mrs James Brighty, of St Catharines As it contains various particulars of that conflict not found in any other account no apology seems necessary for its reproduction as no copy of the "Bee" newspaper is known to be in existence, and the introductory comments of the editor of the "Gleaner," Andrew Heron, are not uninteresting

Extract from "The Gleaner and Niagara Newspaper," Saturday, June 23, 1827, Vol 10, No 32

"We have inserted from an old copy of a weekly called the "Bee," edited by Mr Durand, an account of the invasion of this Province at Queenston, during the late war, and containing the manner by which our beloved and much esteemed General Brock came to his death, not doubting but it will be interesting to our readers, although an old story

"A few copies of the transactions of that uneventful day have been struck off and are for sale by the person who has the care of Brock's monument

"We believe there are few travellers who pass the road from the Falls to this town, but will take the opportunity of enjoying for some minutes the charming and extensive prospect from the platform of that monument We understand that a good telescope has been provided which will add greatly to the delightful prospect

"The extraordinary lenity shown to the Militia prisoners taken at Queenston was very impolitic and we now know had no good effect Had they been taken bravely defending their own country, every person would have approved of these measures They would have then been performing a sacred duty, but when they volunteered to invade a foreign country they deserved less lenity than regular troops, who are obliged to go wherever they are commanded This, however was only a continuation of the wretched policy that had been advocated by those who ought to have known better, which led to the ruin that followed on this frontier

"Immediately after the declaration of war by the United States General Brock made preparations to take possession of Fort Niagara, which it was well known could easily have been done—the works in a ruinous state and only a few men Unfortunately a Council of War was held at which some of our country gentlemen acted a prominent part and advised the General not to cross the line—the reason assigned was, forsooth that it would irritate the enemy.

"During the time of the Battle of Queenston it was known that every person had fled from the Fort, and although the General was urged to allow possession to be taken he declined. Now we have no hesitation in stating that had the Fort been taken as it afterward was by the brave Colonel Murray without consulting the T.O. and W.D. and fortified as it afterward was, this Town would not have been destroyed, and of course the Frontier on the other side would have been safe, which was a loss to both sides, and a benefit to none."

(Reprinted from the 'Niagara Bee' of October 24, 1812.)

"The unfortunate loss of the brave General Brock, early in the morning of the memorable 13th inst., in the battle of Queenston Heights, for a while seemed to overcloud the brilliant sun of victory, and the people paused to mourn their country's friend ere public rejoicing for the glorious issue of the day could prevail. The loss is truly great, and requires the pen of an able panegyrist to paint it in its proper colours, perhaps it is as well that it has fallen to our humble lot to blunt the poignancy of grief, from our inability to portray the numerous virtues of the fallen Hero now lost to the people of Canada—forever lost. General Brock was bold and daring, even to excess—utterly regardless of danger—his country's good—the honour of England—the fame of Britain was his leading star—onward he moved, and as he advanced swept in his train a series of gallant achievements to the page of history—terrible in battle—yet a most generous foe—a friend to humanity—he loved the inhabitants of Canada—their interests were his continual study, their rights and privileges his sacred care to preserve—none suffered under his administration—even the guilty wretch sued confidently to him for mercy—can it be wondered then that he is universally beloved, and that he is, alas, now equally regretted.

"He died in the honourable bed of a soldier—the Field of Glory—peace to his shade—the grateful tribute of many a friendly tear has fallen from the warrior's eye, and down the lovely cheek of female beauty in sad recollection of their forever lost friend.

"The morning of the 13th, most dreadful retribution was taken on the enemy for our misfortune—the carnage in the boats as they were crossing to invade our shores was horrible—whole boatloads of the enemy were annihilated by the fire of our Artillery and gallant soldiery, whilst others overwhelmed with terror, took refuge in a watery grave—until about a quarter of an hour previous to the death of General Brock every effort of the enemy to succeed in landing was foiled, except at the extreme point in the Queenston bottom, which from its situation, was entirely out of reach of our cannon—at this particular spot they had succeeded before break of day in landing a part of the 13th Regiment and three boats of Militia and even here they were surprised by a detachment of the Head of the Lake Militia and a party of the 49th, who discovered them as day was dawning all formed close under the hill The enemy received a volley, lost six men killed and wounded and retired to their boats under cover of a steep bank, from whence a continued fire was kept up and returned from our side for about an hour with the loss of one man killed and four wounded

"It was from under this bank and the ledge of rocks up the river that the enemy first attempted to ascend a fisherman's path up the mountain shaded by small trees and shrubbery from the view of our troops at the battery and elsewhere, at least until they got up in considerable numbers, when they were discovered by a party near the stone house of Mr George Hamilton and immediate information sent from thence, twice, toward the battery, stating the circumstance—the first intimation was unfortunately disregarded, and the last when the General himself was notified, a small party of about 30 or 40 men were ordered to march with Lieut Col McDonnell, joined by Major Robinson[1] as a volunteer, from the battery along up the mountain to drive them back again—by the time, however, they reached the summit they found the enemy formed to the amount of about 200 men who immediately commenced firing, and from the superiority of their number succeeded in driving our men back and came down on the battery, from which General Brock and his small force retreated toward Queenston

"It was in a small field near to the tavern formerly occupied by one Miller that General Brock received his mortal wound, supposed to have been a musket shot fired from near the battery and which entered below his breast and lodged near his backone The brave Chief had rallied his men and was in the act of cheering to the charge part of the Light Company of the 49th & some of the Militia when the fatal ball was received, his exclamation was 'push on never mind me'—and well did the men perform his orders for notwithstanding the disadvantages of being obliged to ascend the hill exposed to a heavy fire from the top (which by this time was covered with troops who had followed up the path before mentioned), and a cross-fire from near the edge of the rocks on the river, where they found a fresh reinforcement of them, and who in their turn succeeded in forcing our party to retire on St David's and Vrooman's battery, and for a while they remained in possession of Queenston Heights and the Hill battery.

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[1] Probably Major William Robertson of the First Regiment of Lincoln Militia, a step-son of Hon Robert Hamilton

It was in the engagement last named that we regret the loss of Lt Col McDonnell A D C to General Brock—he was shot whilst on horseback, encouraging the men. The Province of Upper Canada, by the death of Col McDonnell, has been deprived of one of its most enterprising young men—the discerning eye of the Major General had singled him out and was forming his mind to have become a prominent figure among us—fortune had already begun to lavish her favours and her blushing honours stood thick upon him—he has appeared and passed away from us like a brilliant meteor in the firmament.

"His remains were interred beside his beloved friend and patron, General Brock. But to return to our cursory account of the engagement.

"Immediately after the enemy's getting possession of the heights, &c, it was thought prudent to retire on Vrooman's Battery to wait for reinforcements from Niagara, a party of Indians first arrived commanded by Captain Norton, who advanced through the fields towards the mountain, and soon after the appearance of Major General Sheaffe gave new life and spirits to all present. His Honour was accompanied by his Aid de Camp, Mr Coffin,[1] Capt Glegg,[2] Capt Holcroft of the Artillery, &c, &c. The most judicious dispositions were instantly made, full confidence seemed to inspire both regulars and militia, and they took the route through the enclosures towards the mountain having along two field pieces. The Indians by this time had brought the enemy to an engagement, and gave them a fair sample of what the remainder of the day was to afford them.

"These brave tenants of the woods remained on the mountain and kept the enemy in check, whilst some of them, like a flaming beacon, stood prominently on the jutting rocks as a guide to our main body where to ascend most securely—nothing could be more forcibly impressive. The summit was gained with perfect ease and good order, and the 41st and 49th advanced against the foe, having on their left flank the Indians and Light Infantry of the 41st and on their right all the Militia.

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[1] Lieut Colonel Nathaniel Coffin, brother-in-law of General Sheaffe (1783-1846), afterwards Adjutant General of the Militia of Upper Canada. [2] Major John Baskervyle Glegg of the 49th Regiment, A D C to General Brock.

"In this order they marched onward till they reached the point of formation, in a field belonging to Mr Phelps[1] adjoining the main road from Queenston to the Falls, and then a further reinforcement joined, of Regulars and Militia from Chippawa under the command of Col Clark[2] and Capt Bullock.[3]

"The attack now began, the Indians and Light Infantry of the 41st on the right, and the two small field pieces dealing out a most tremendous fire upon the enemy who were in a small piece of woods that skirted the Queenston Camp. It was now that the rash invaders rued their attempt and fled with percipitancy, terror adding wings to their feet, and depriving them of reason. They hurried one another over the rocks and precipices with the utmost consternation and with a degree of destruction not to be described, the dead, dying and mangled lay in heaps under the rocks, whilst the river received an immense number in its deepy bosom.

"A flag of truce from those that remained begging for quarter ended the day, and General Wadsworth, Colonel Scott and 71 other officers, together with 853 men were made prisoners of war. The enemy's loss in killed and wounded could not be less than 400 or 500 men, whilst ours, strange to tell, consisted of only 11 killed and 80 wounded, the Indians lost only 5 men and 9 wounded. At any time during the day our force did not exceed 750 men—that of the enemy, from the misstated Buffalo account was 1300 but we think that it was 1500 at least. To point out any particular officers or men who distinguished themselves in the late contest would be improper, where all did their duty so manfully, twere invidious to remark—the result—the glorious result—speaks too plainly to be misunderstood how nobly each arm upheld its country's cause.

"Shall we omit to return our humble thanks to the God of Battles for his merciful aid on this splendid occasion? Inhabitants of Canada, it is most manifest that the hand of Providence is with us, highly approving the justice of our cause, and smiling at our efforts and struggles for our rights and liberties! He—He it is that gives us victory, then let us ascribe all to him, implore a continuance of His blessings and support—and come. Americans, come in legions of myriads to invade our land and you will find in Canada an untimely grave!

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[1] Probably Elijah Phelps, see Russell Papers, Vol II, p 297. [2] Lieut.-Colonel Thomas Clark of the Second Regiment of Lincoln Militia (1770-1837) a member of the Legislative Council from 1815 until his death. [3] Captain Richard Bullock of the 41st Regiment afterwards Adjutant General of Militia for Upper Canada.

"On the 18th, all the American Militia who were taken prisoners at the battle of Queenston, including the officers (and the wounded men indiscriminately), were sent across the river on their parole not to serve during the war, and even the officers' side arms were returned to them.

"We do not mean to criticise acts of our executive, but surely such lenity is not to continue forever! We only wish that the people on the other side may feel that gratitude for such unexampled generous conduct which it merits—no doubt it has been the consideration that the innocent militiamen were actually forced at the very point of the bayonet to cross the river, that induced his Honour Major General Sheaffe to take pity on them. It is impossible, however, but that such generosity must strike even to their hearts and when these men return to their peaceful home and hear old England's name abused and vilified, they will raise up involuntarily and deny the charge, and tell the wicked partizans of France, tis false and villainous all that you say, for here we stand a living proof of the friendship of the British nation towards our country, and it is your base and insidious policy alone that has heaped such disgrace upon our country, and caused the murder of our fellow citizens."

The printing press, used in the publication of the Guardian newspaper had been sold early in June, 1812, to Richard Hatt of Ancaster, and his associates, who began the publication of the "Bee," having engaged James Durand as editor. The vivid and circumstantial account of the battle of Queenston, reprinted above, apparently from the pen of a participant, was probably written by him. He commanded a flank company of the Fifth Regiment of Lincoln Militia, recruited near the head of Lake Ontario, in the battle of Queenston and his services were favourably mentioned in General Sheaffe's official letter and in general orders. In 1816 he was elected to represent the west riding of the county of York and the townships of Ancaster and Saltfleet in the Legislative Assembly in the place of Abraham Markle, who had been expelled for deserting to the enemy. He became an active opponent of martial law. At the general election of 1816 he was elected as one of the members for the new county of Wentworth, but was expelled for libel on 7th March 1817. He was re-elected and sat in the Assembly until 1820. He was a native of Wales, born in 1775, and died at Ancaster in 1833.

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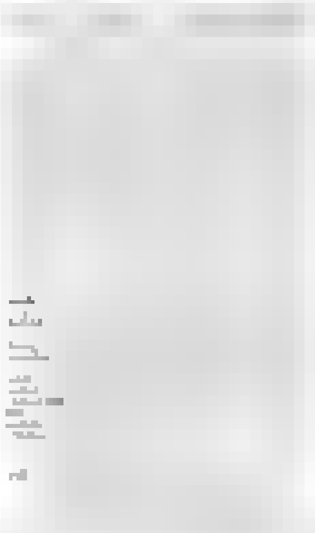

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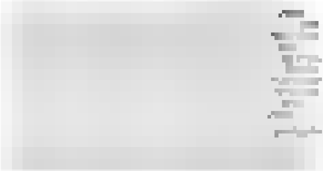

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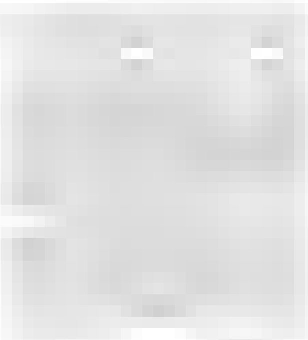

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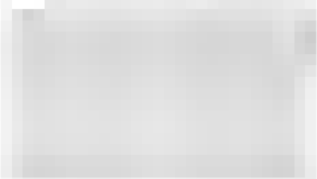

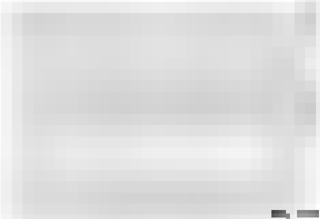

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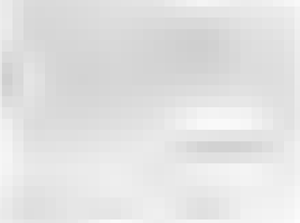

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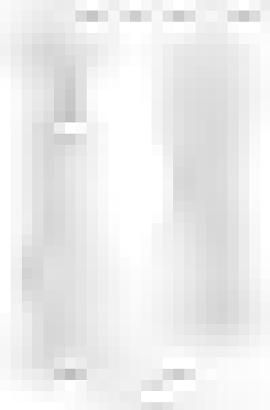

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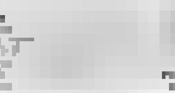

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NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake

No. [illegible]

RECORDS OF NIAGARA

A Collection of Contemporary Letters and Documents

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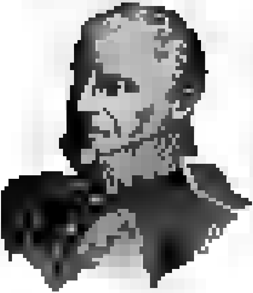

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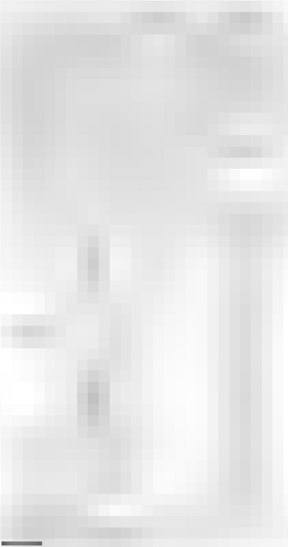

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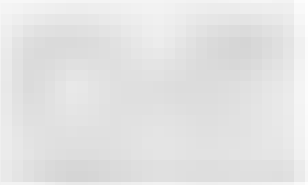

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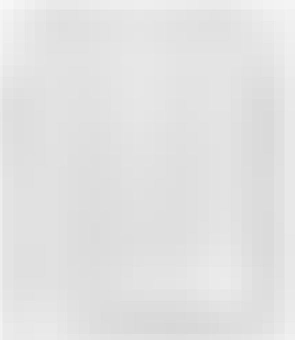

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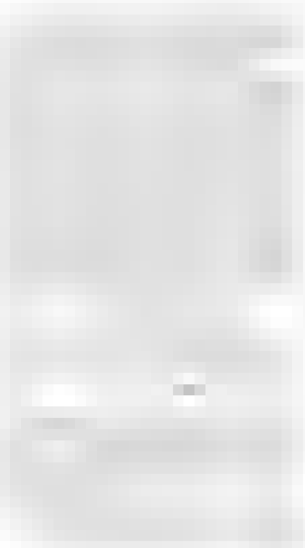

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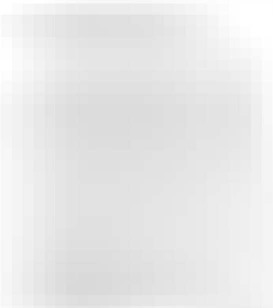

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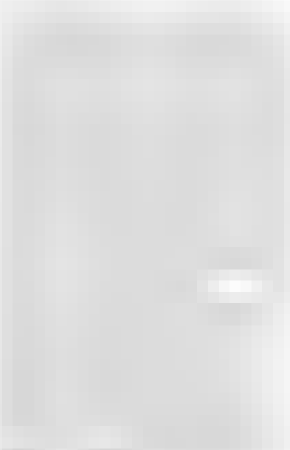

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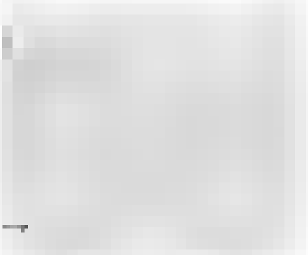

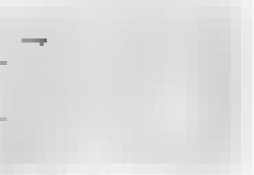

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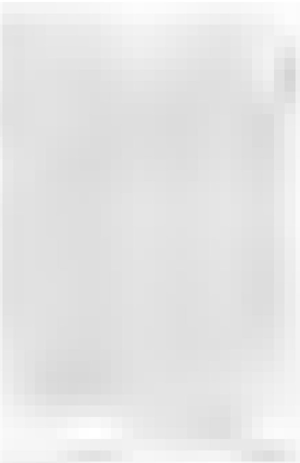

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NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake

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RECORDS OF NIAGARA

Collection of Contemporary

Letters and Documents

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NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 44

RECORDS OF NIAGARA

A Collection of Contemporary
Letters and Documents

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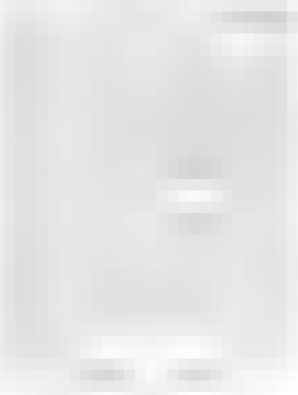

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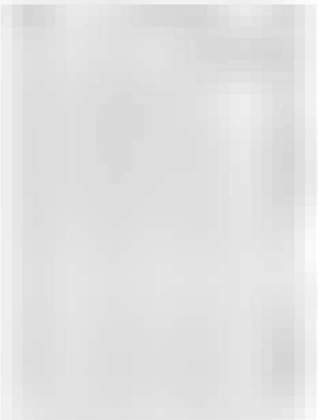

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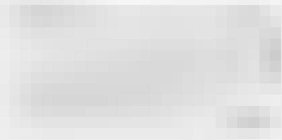

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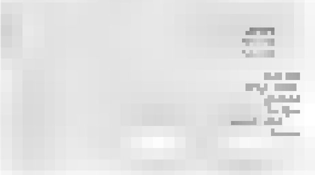

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